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# ORDINANCES

OF THE

## City of Philadelphia,

From January 1 to December 31, 1894.



AND

## OPINIONS OF THE CITY SOLICITOR.

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# CERTIFICATE.

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CLERKS' OFFICE, SELECT AND COMMON COUNCILS.

*Philadelphia, January 1, 1895.*

WE HEREBY CERTIFY, That we have collated with and corrected by the original Ordinances on file in this Office the proof-sheets of the printed copies of this edition of the Ordinances of the City of Philadelphia, during the year ending December 31, 1894, and that the same are correct copies of the originals.

GEORGE W. KOCHERSPERGER,

*Clerk of Common Council.*

JOSEPH H. PAIST,

*Clerk of Select Council.*



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# ORDINANCES.

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## AN ORDINANCE

To amend ordinance approved June 29, 1893, entitled "An Ordinance to authorize the opening of Greenway avenue, Ludlow and the south side of Chestnut street."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance approved June 29, 1893, entitled "An Ordinance to authorize the opening of Greenway avenue, Ludlow and the south side of Chestnut street," as provides for the opening of the south side of Chestnut street from Eighth to Ninth streets, shall be so amended as to restrict the operation of the said ordinance to the portion of the said south side of Chestnut street lying east of a point one hundred and thirty-nine (139) feet west from the west side of Eighth street. •

Approved the fourth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To regulate the washing of sidewalks.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That it shall be unlawful for any person or persons to wash or cause to be washed any sidewalk in the City of Philadelphia during the months of November, December, January, February and March, and between the hours of seven o'clock in the morning and seven o'clock in the evening during the months of April, May, June, July, August, September and October.

SECT. 2. The Director of the Department of Public Works is authorized and empowered to prohibit the use of water for

the washing of pavements at any time and in any part of the city when in his judgment the public necessity requires the use of water to be curtailed, and it shall be unlawful for any person or persons to wash or cause to be washed any sidewalk during the time so prohibited, provided, however, that notice of the prohibition by the Director of Public Works shall be given to occupants of premises affected thereby.

SECT. 3. In all cases where the provisions of this ordinance are violated, a penalty of five dollars shall be imposed for each and every offense, to be recovered as other penalties are recoverable by law.

SECT. 4. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the fourth day of January, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE.

To authorize the purchase of a lot of ground with buildings thereon erected, situate on the east side of Fifteenth street, between Race and Vine streets in the Tenth Ward, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor is hereby authorized and directed to examine the title to all that certain lot or piece of ground, with buildings thereon erected, situate on the east side of Fifteenth street, one hundred and twenty-two feet from the south side of Vine street, containing in front or breadth on Fifteenth street, forty-eight feet more or less (and extending in depth of that width one hundred and ninety-six feet more or less), and if he approves of the same to cause a conveyance of the said lot of ground, with buildings thereon erected, to be made to the City of Philadelphia in fee, subject to an irredeemable ground rent of twenty-four (24) dollars

per annum. The consideration therefor to be the sum of thirty-two thousand five hundred (32,500) dollars, to be paid out of Item 31 in the annual appropriation to the Department of Public Safety for 1893.

Approved the fourth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and thirty thousand six hundred and seven (130,607) dollars be, and the same is hereby appropriated to the Commissioners for the erection of the Public Buildings for the purposes of the Commission during the year 1894, viz :

Item 1. For salaries: Architect, four thousand (4,000) dollars; superintendent, three thousand (3,000) dollars; secretary, two thousand seven hundred and fifty (2,750) dollars; solicitor, nine hundred (900) dollars; clerk and messenger, one thousand two hundred (1,200) dollars; superintendent's clerk, one thousand five hundred (1,500) dollars; superintendent of heating and ventilating, two thousand and seven (2,007) dollars; total, fifteen thousand three hundred and fifty-seven (15,357) dollars.

Item 2. For stationery, printing and advertising, seven hundred and fifty (750) dollars.

Item 3. For lumber, four thousand (4,000) dollars.

Item 4. For hardware, one thousand five hundred (1,500) dollars.

Item 5. For incidental materials and labor, twenty thousand (20,000) dollars.

Item 6. For cement, one thousand five hundred (1,500) dollars.

Item 7. For heating and ventilating, sixty thousand (60,000) dollars.

Item 8. For copper work, five hundred (500) dollars.

Item 9. For electric lighting, twenty-five thousand (25,000) dollars.

Item 10. For granite work, one thousand (1,000) dollars.

Item 11. For water supply, one thousand (1,000) dollars.

*Provided*, That the balance remaining to the credit of appropriation out of temporary loan of October 9, 1893, to the Commissioners for the erection of Public Buildings, to pay outstanding certificates of indebtedness issued by said Commissioners in 1892, shall not merge December 31, 1893. And warrants shall be drawn by the Commissioners for the erection of the Public Buildings.

Approved the fifth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To fix the price of gas.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the price of gas be, and the same is hereby fixed at one dollar per thousand cubic feet.

Approved the sixth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Public Works for the year 1894, approved December 30, 1893."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to make an appropriation to the Department of Public Works for the year 1894," approved December 30, 1893, be

altered and amended by striking out in item 4, section 6, the words and figures "nine hundred and nineteen thousand three hundred and seventy-nine (919,379) dollars," and inserting the words and figures "eight hundred and sixty-two thousand nine hundred and seventy-three (862,973) dollars;" and by striking out in the total of the section, the words and figures "nine hundred and forty-nine thousand seven hundred and ninety-nine (949,799) dollars," and inserting the words and figures "eight hundred and ninety-three thousand three hundred and ninety three (893,393) dollars:" and by striking out in the total appropriation, the words and figures "seven million one hundred and thirty-eight thousand eight hundred and forty-one (7,138,841) dollars." and inserting the words and figures "seven million and eighty-two thousand four hundred and thirty five (7,082,435) dollars."

Approved the eighth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Law Department, for the year 1894, approved December 20, 1893."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to make an appropriation to the Law Department, for the year 1894, approved December 20, 1893," be altered and amended by striking out in Item 1, Section 1, the words and figures "three clerks at nine hundred (900) dollars each," and inserting the words and figures "four clerks at nine hundred (900) dollars each;" and by striking out in total of section the words and figures "sixty-one thousand four hundred and fifty (61,450) dollars," and inserting the words and figures "sixty-two thousand three hundred and fifty (62,350) dollars;" and by adding "Item 10. To pay fees of John R. Dos Passos as attorney for the City of Philadelphia in suits for telegraph license charges against electric companies in the State of New York, one thousand (1,000) dollars;" and by

striking out in the total appropriation the words and figures "ninety-two thousand three hundred and fifty (92,350) dollars," and inserting the words and figures "ninety-four thousand two hundred and fifty (94,250) dollars."

Approved the eighth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the grading of Thirtieth, Thirty-second, Thirty-third, Cumberland, York, and C streets, Snyder and Cleveland avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, and to construct the necessary drains, viz.: West side of Thirtieth street, from Locust to Marston street; Thirty-second street, from York to Cumberland street; Thirty-third street, from Ridge avenue to Cumberland street; Cumberland street, from Thirty-first street to Ridge avenue; York street, from Thirty-second to Thirty-third street; C street, from Cambria to Indiana street; Snyder avenue, from Thirteenth to Broad street; Cleveland avenue, from Cumberland to Huntingdon street. The cost of said work not to exceed two thousand five hundred (2,500) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets shall be first dedicated or properly opened. And, further provided, that the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the eleventh day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## RESOLUTION

Requesting the City Controller to countersign certain warrants in the Department of Public Safety, Bureau of City Property, and suspending Rule 41 of the Joint Rules of the Select and Common Councils.

*Resolved, by the Select and Common Councils of the City of Philadelphia,* That the City Controller be, and is hereby authorized and requested to countersign warrants against Item 3, in the annual appropriation to the Department of Public Safety, Bureau of City Property, for 1894, for the restoration of pictures and repairing frames in Independence Hall and National Museum without advertising, and that Joint Rule 41 of the Joint Rules of Select and Common Councils be suspended for the purpose of permitting the Clerks of Councils to present this resolution to the Mayor for his approval or disapproval.

Approved the eleventh day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To authorize the paving of the intersection of Hunting Park avenue and Venango street, and Twenty-eighth and Thirtieth streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the intersection of Hunting Park avenue and Venango street with sheet asphaltum, and the following streets with granite, Pennsylvania, or Lambertville blocks, viz: Twenty-eighth street, from Reed to Jackson street; west side of Thirtieth street, from the north side of Locust street to Marston street. The cost of said paving to the City not to exceed twelve thousand five hundred (12,500)

dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the eleventh day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To strike from the City plan and vacate Schuylkill avenue, from Gray's Ferry road to Wharton street; Woodpecker lane, from Clearfield to Seventeenth street; and Cooper street, from Ontario to Kettlewell street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to strike from the City plan and to vacate Schuylkill avenue, from Grays Ferry road to Wharton street; Woodpecker lane, from Clearfield to Seventeenth street; and Cooper street, from Ontario to Kettlewell street: *Provided*, That the owners of property on the line of said streets first enter into a satisfactory agreement releasing the City from all damages by reason of the striking of the said streets from the plan and their vacation.

Approved the eleventh day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To approve the contracts and surety of The Southwark Foundry and Machine Company for furnishing, erecting, setting up, and finishing complete in place for use a pumping engine in an engine house in East Fairmount Park, below the Wissahickon creek, in the city of Philadelphia, for the Bureau of Water of the Department of Public Works, and for furnishing, erecting, and setting up complete in place, upon foundations prepared by the Bureau of Water, for use, six tubular boilers, at the Frankford Pumping Station of the said Bureau of the Department of Public Works, and the contract and surety of R. C. Ballinger & Co. for the erection, building, setting up, and finishing complete for use an engine and boiler house and stack at George's Hill Pumping Station of the Bureau of Water of the Department of Public Works.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contracts of the said The Southwark Foundry and Machine Company for furnishing, erecting, setting up, and finishing complete in place for use a pumping engine in an engine house in East Fairmount Park, below the Wissahickon creek, in the city of Philadelphia, for the Bureau of Water of the Department of Public Works, and for furnishing, erecting, and setting up complete in place, upon foundations prepared by the Bureau of Water, for use, six tubular boilers, at the Frankford Pumping Station of the said Bureau of the Department of Public Works, be, and the same are hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as the surety of the said The Southwark Foundry and Machine Company for the faithful performance of the said contracts; and that the contract of R. C. Ballinger & Co. for the erection, building, setting up, and finishing complete for use an engine and boiler house and stack at George's Hill Pumping Station of the Bureau of Water of the Department of Public Works be, and the same is hereby approved, and The City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as the surety of the said R. C. Ballinger & Co. for the faithful performance of the said contract.

Approved the twenty-fifth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Repealing a portion of an ordinance approved October 6, 1893, authorizing the opening of Estaugh street from Twenty-first to Twenty-second street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved October 6, 1893, entitled "An Ordinance to authorize the opening of Magnet, Selig, Wood, Berkley, Green, Price, Thirteenth, Twenty-seventh, Bowman, Estaugh, Indiana, Belleview, Montgomery, Ninth, Ontario, Hutchinson, Lawrence, Marshall, C. Brown, Fiftieth, Wyalusing, Jackson, Morris and Mifflin streets," as authorizes the opening of Estaugh street, from Twenty-first to Twenty-second street be, and the same is hereby repealed.

Approved the twenty-fifth day of January. A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To place on the City plan Bouvier, Colorado, Dean, Fernon, Hartville, Thirty-nine-and-a-quarter, Thirty-nine-and-a-half, Miller, Markoe, Mountain, Murray, Pierce, and Watkins streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Bouvier street, thirty feet wide, from Huntingdon street to Glenwood avenue; Colorado street, thirty feet wide, from Huntingdon street to Glenwood avenue; Dean street, thirty feet wide, from Snyder avenue to Jackson street; Fernon street, thirty-five feet wide, from Eighteenth to Nineteenth street; Fernon street, thirty-five feet wide, from Twentieth to Twenty-first street; Fernon street, thirty feet wide, from Twenty-second to Twenty-third street; Hartville street, thirty feet wide, from Indiana to Clearfield street; Thirty-nine-and-a-quarter street, thirty feet wide, from Warren to Miller street; Miller street, thirty feet wide, from Thirty-nine-and-a-quarter to Thirty-nine-and-a-half street; Thirty-nine-and-a-half street, thirty feet wide,

from Miller to Sloan street: *Provided*, That the provisions of the ordinance approved April 8, 1890, shall not apply to Thirty-nine-and-a-quarter, Miller and Thirty-nine-and-a-half streets. Markoe street, forty feet wide, from Springfield avenue to Baltimore avenue; Mountain street, thirty-five feet wide, from Eighteenth to Twenty-first street; Murray street, seventy feet wide, from Starkey street to Frankford and Bristol turnpike; Pierce street, thirty-five feet wide, from Eighteenth to Twenty-first street; Watkins street, thirty-five feet wide, from Nineteenth to Twenty-first street: *Provided*, That the owners of ground within the lines of said streets, except Markoe and Murray streets, shall first dedicate the same as public highways, or shall first file a bond or enter into a written agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may arise, or covenanting and agreeing to obtain releases from all such owners of all damages that may arise by reason of the placing and opening of the same before this ordinance shall go into effect: *Provided, also*, That the owners of property on Markoe street, excepting that registered in the name of Levick, shall first dedicate the same.

Approved the twenty-fifth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the construction of sewers in Arizona, Bainbridge, Cooke, Dillwyn, Wood, Dudley, Eleventh, Enue, Fernon, Harmony, Juniper, Morgan, Melrose, Ogden, Penn, Peehin, Pearl, Philip, Sergeant, Sharswood, Twenty-ninth, Twenty-third, Twenty-fourth, Thirty-fourth, Thirty-fifth, Thirty-sixth, Tasker, Townsend, Unity, Virginia, Wright, and Whelan streets, Allegheny avenue, Buist avenue, Germantown avenue, Lehigh, Passyunk, Susquehanna, Washington, and Willow Grove avenues, and New Market and Laurel streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to construct the following sewers in ac-

cordance with plans and specifications to be approved by said Department, viz: On Arizona street, from Tenth to Eleventh street; under the north and south sidewalks of Bainbridge street, from Eighth to Ninth street; Cooke street, from Compromise to Pine street; Dillwyn street, from Callowhill to Wood street, and on Wood street, from Third to Fourth; Dudley street, from Eighteenth to Nineteenth street; Eleventh street, from Emily to McKean street; Enue street, from Seventh street to Passyunk avenue; Fernon street, from Twenty third street to Point Breeze avenue; Harmony street, from the right of way of the P. W. & B. R.R. to Reed street; Juniper street, from Snyder avenue to Jackson street; Morgan street, from Ninth to Tenth street; Melrose street, from Bridge to Orthodox street; Ogden street, from Fifteenth to Sixteenth street; Penn street, from Hancock to Wakefield street; Pechin street, from Shur's lane to Ridge avenue; Pearl street, from Seventeenth to Eighteenth street; Philip street, from Tioga street to Glenwood avenue; Sergeant street, from Ninth to Tenth street; Sharswood street, from Ridge avenue to Twenty-first street; Twenty-ninth street, from Oxford street to Columbia avenue; Twenty-third street, from Dickinson to Fernon street; Twenty-fourth street, from Federal to Oakford street; Thirty-fourth street, from the P. W. & B. R.R. to Reed street; Thirty-fifth street, from the P. W. & B. R.R. to Reed street; Thirty-sixth street, from Gray's Ferry road to Reed street; Tasker street, from Twenty-third to Twenty-fourth street; Townsend street, from Cedar street to dead end of present sewer; Townsend street, from Tulip to Memphis street; Unity street, from Frankford avenue to Paul street; Virginia street, from Twenty fourth to Twenty-fifth street; Wright street, from Ontario street to Glenwood avenue; Whelan street, from Wright street to Glenwood avenue; Allegheny avenue, from Kensington avenue to G street—the sewer to be constructed and assessed on the north side only; across Buist avenue, between Seventy-sixth and Seventy-seventh streets; Germantown avenue, New Market and Laurel streets, from Canal street to Germantown avenue; Lehigh avenue, from Fifth to Sixth street—to be constructed and assessed on the south side only; Passyunk avenue, from Wharton to Reed street; Susquehanna avenue, from Front to Coral street; Washington avenue, from Sixth to Seventh street—to be constructed and assessed on the south side only; across Willow Grove avenue, near Twenty-fifth street.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to Item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of forty thousand (40,000) dollars.

SECT. 3. The Director of the Department of Public Works shall not advertise for proposals for the construction of any of the sewers authorized by this ordinance until the streets are on the City plan, legally opened, and all the property abutting thereon assessed to full City rates: *Provided, however*, That where the properties are assessed at less than full City rates, and the streets on the plans are opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding the owners to pay the regular assessment charges.

Approved the twenty-fifth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To lay water pipe in Wolf, Orchard, Sixty-fourth, Yocum, Darien, American, Conestoga and Twelfth streets: Manayunk, Wadsworth, Stenton, Elmwood and Park avenues, and to relay Haines street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public

Works is hereby authorized and directed to lay water pipe in Wolf street from Seventh to Ninth street; Orchard street, from Culvert street north; Orchard street from George street north; Manayunk avenue from Markle street to Shurs lane; Wadsworth avenue from Sprague street to Stenton avenue; Stenton avenue from Gowen to Wadsworth avenue; Sixty-fourth street from Woodland to Paschall avenue; Yocum street from Seventy-first to Seventy-second street; Elmwood avenue from Sixty seventh street to Island road; Darien street from Indiana avenue to Clearfield street; American street from Tioga street to Glenwood avenue; Conestoga street from Lansdowne avenue to Media street; Park avenue from Rising Sun lane to Tioga street; Twelfth street from Cambria to Indiana street, and to relay with larger pipe, Haines street from Twelfth to Thirteenth street.

Approved the thirtieth day of January, A. D, 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To release the German Home for the Aged from the payment of frontage for water pipe.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the German Home for the Aged be and is hereby released from payment of any and all frontage for water pipe laid in front of its property at York road and Hunting Park avenue.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To release the Women's Hospital from payment of water pipe in front of their property on North College avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works is hereby authorized to remit to and release the Women's Hospital from the payment for water pipe in front of their property on North College avenue from Twenty-first to Twenty-second streets.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To condemn for school purposes certain property on Haverford street above Thirty-fifth street, in the Twenty-fourth Ward.

WHEREAS, The Board of Public Education and the owners of the lot of ground with the improvements thereon, situate 3512 Haverford street, in the Twenty-fourth Ward of the City of Philadelphia, selected by the Board for school purposes, having failed to agree upon the price to be paid for the same, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the said property as herein above described be, and the same is hereby taken and condemned by the City of Philadelphia for school purposes under the provisions of Act of Assembly for that case made and provided, and the Board of Public Education is hereby directed to enter upon and occupy the said ground; *Provided*, That the Mayor be, and he is hereby authorized and directed to file good and sufficient bond, to indemnify the property owner or owners of the ground and improvements when taken and condemned, as above described.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the Department of Public Safety to lease to I. H. Hathaway & Co. a certain lot of ground on the west side of Schuylkill river.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety be, and is hereby authorized and directed to enter into a lease with I. H. Hathaway and John L. Grim, of Philadelphia, trading as I. H. Hathaway & Co., for a term of five years, from January 1, 1893, for the lot of ground lying between Cleveland avenue on the east, Philadelphia, Wilmington and Baltimore Railroad on the north, easterly line of Woodland cemetery on the west, and Port Warden's line of Schuylkill river on southerly side, containing about one acre, with a frontage of 180 feet upon Schuylkill river, for the sum of two hundred dollars per year; *Provided*, That the lessees shall, at their own expense, make such repairs to the ground as will keep it in a healthful condition, with all bulkheads and filling required to complete the same: *Provided*, That all improvements and alterations be made under the supervision of the Director of the Department of Public Safety.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To lay a twelve (12) inch water main in Tioga street, from Carbon to Richmond street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to lay a twelve (12) inch water main in Tioga street, from Carbon to Richmond street, Twenty-fifth Ward: *Provided*, That the owners of property fronting upon the route of said pipe shall not be required to pay frontage therefor until such time as they shall make application for attachments thereto.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE.

To lay water pipe in Cross, Gideon, Manakin, Chew, Young, Arcadia, Franklin, Seventy-second, Sixty-third streets; Cemetery, Lebanon, and Malvern avenues; and to relay with larger pipe Johnson and Auburn streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to lay water pipes in Cross street from Effingham to Seventh; Gideon street, north from Wood street; Manakin street from Norris street to its terminus, three hundred and fifty (350) feet south of Norris street; Chew street from Washington lane to Horter street; Chew street from Church to Dorset; Young street, from Bridge to Church street; Arcadia street from Westmoreland to Ontario street; Franklin street from Richmond to Garden street; Seventy-second street from Grays to Elmwood avenue; Cemetery avenue from five hundred (500) feet northwest of Woodland avenue to B. & O. railroad; Sixty-third street from Master to Lancaster street; Lebanon avenue, from Sixty-first to Sixty-third street; Malvern avenue from Lancaster to Sixty-third street; and to relay with larger pipe Johnson street from Green street southwest as far as laid; Auburn street from Frankford avenue to Trenton avenue.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To condemn for school purposes two lots of ground on the northwest side of Frankford avenue, southwest from Hickory street, in the Thirty-fifth Ward.

WHEREAS, The Board of Public Education and the owner or owners of the lot of ground and improvements thereon, situate in Holmesburg, on the northwest side of Frankford

avenue, 49 feet 5 inches southwest from Hickory street, containing in front or breadth on said Frankford avenue 35 feet and extending in length or depth 363 feet to Van Horn street, where it has the same width (35 feet) as on Frankford avenue; also, another lot of ground situate on the northwest side of Frankford avenue, 84 feet 5 inches southwest from Hickory street, containing in front or breadth on said Frankford avenue 99 feet and extending in length or depth 362 feet 1 $\frac{5}{8}$  inches to Van Horn street, where it has the same width (99 feet) as on Frankford avenue, selected by the Board for school purposes, have failed to agree upon a price to be paid for the same, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the said property as herein above described be, and the same is hereby taken and condemned by the City of Philadelphia for school purposes, under the provisions of Act of Assembly for that case made and provided, and the Board of Public Education is hereby directed to enter upon and occupy the said ground: *Provided*, That the Mayor be, and he is hereby authorized and directed to file good and sufficient bond to indemnify the property owner or owners of the ground and improvements, when taken and condemned as above described.

Approved the thirtieth day of January, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To place on the City plan a street on the line of Ford road, from Belmont avenue to Ridgeland avenue, and to make the necessary revision of lines and grades on streets adjacent thereto, in the Twenty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to place on the City plan a street on the line of Ford road, from Belmont avenue to

Ridgeland avenue, of the width of sixty (60) feet, in the Twenty-fourth Ward, and to make the necessary revision of the lines and grades on streets adjacent thereto.

Approved the seventh day of February, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Wolf, Utah, Venango, Westmoreland, Reed, Ludlow, D'Invillier, Borbeck, Loney, and Twenty-fourth streets, Allegheny, Buist, and Gibson avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the city, and construct the necessary sewers or drains, viz : Wolf street, from Seventh to Ninth street ; Wolf street, from Tenth to Eleventh street ; Utah street, from Heiskell to Armat street ; Venango street, from Tulip street to Trenton avenue ; Westmoreland street, from Tulip to Richmond street ; Reed street, from Eleventh to Twelfth street ; Ludlow street, from Forty-fourth to Forty-fifth street ; D'Invillier street, from City avenue to Conshohocken avenue ; Borbeck and Loney streets, from Fillmore street to the Oxford road ; Twenty-fourth street, from Federal to Oakford street ; Allegheny avenue, from Nicetown lane to Thirty-fourth street ; Gibson avenue, from Elmwood avenue to Fifty-eighth street ; Buist avenue, from Sixty-second to Sixty-fifth street ; the cost for said work not to exceed the sum of forty thousand (40,000) dollars. Westmoreland street, from Second street to Front street, in the Thirty-third Ward, the cost of said grading not to exceed the sum of one thousand two hundred (1,200) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks : *Provided*,

That said streets shall be first dedicated or properly opened :  
*And, further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the seventeenth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To make an appropriation to Item 35 in the annual appropriation to the Department of City Commissioners for the year 1894, to pay Dunlap Printing Company for balance due for printing, etc., for special election held December 19, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of two hundred and sixteen (216) dollars and fifty (50) cents be, and is hereby appropriated to new Item 35 in the annual appropriation to the Department of City Commissioners, for the year 1894, for the purpose of paying Dunlap Printing Company balance due for printing, numbering, perforating, gumming, binding and packing tickets, cards of instruction, etc., for Second Congressional District special election, held December 19, 1893.

Approved the seventeenth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the payment to the Commissioners of Montgomery county of one-half the expense incurred in repairing the bridge on the line of Wissahickon avenue over Wissahickon creek.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Director of the Department of Public Works be, and is hereby authorized and directed to draw and the City Controller to countersign a

warrant for seventy-five (75) dollars, in favor of the Commissioners of Montgomery county, to pay for one-half the expense incurred by said commissioners in repairing the bridge on Wissahickon avenue over Wissahickon creek, for the maintenance of which bridge the City of Philadelphia and the County of Montgomery are jointly responsible. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the seventeenth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Board of Public Education for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to make an appropriation to the Board of Public Education for the year 1894," approved December 30th, 1893, be altered and amended by adding to Item 1 of the first and only section the following: "*Provided*, The Board of Public Education may from time to time as the necessities of the public schools shall require, make such changes either by increasing or diminishing the number of teachers as set forth in Item 1 of this ordinance, in any of the grades as they may be classified by properly certifying to the City Controller in detail such changes in the classification of teachers as may be required from month to month; and, *Provided, further*, That nothing herein contained shall be construed as authorizing any increase in the aggregate amount authorized to be expended under Item 1 of this appropriation; and, *Provided, further*, That the City Controller shall have authority to countersign any warrants that may be drawn by the Board of Public Education for salaries of teachers whose classification has not been included in Item 1.

Approved the seventeenth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To enter satisfaction on the official bonds of William Bartley and Theodore B. Stulb, late City Commissioners.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be authorized and directed to enter satisfaction on the official bonds of William Bartley and Theodore B. Stulb, late City Commissioners, for the term ending December 31st, 1893. *Provided*, The City Controller shall certify that their accounts are settled and there is no default.

Approved the nineteenth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE.

To make an appropriation to certain items in the annual appropriations to the Department of Public Works, Law and City Commissioners for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of seven hundred and ninety-five thousand two hundred and seventy-one (795,271) dollars and fifty-five (55) cents be, and the same is hereby appropriated to the following items in the annual appropriations to the Departments of Public Works, Law and City Commissioners for the year 1894, viz.: Department of Public Works (Bureau of Water) to new Item 10½ for engines and other work at the Queen lane pumping station as follows: completion of three engines, twenty-four boilers; coal shed, siding and shutes, suction pipes and gate house, travelling crane and foundations and engineering work, three hundred and ninety-two thousand nine hundred and sixty-one (392,961) dollars. Bureau of Surveys to new Item 17½ for the construction of branch sewers, inlets and manholes and the payment of assessments on City property, three hundred thousand (300,000) dollars; to new item 18 for the erection of new bridges, one hundred thousand (100,000) dollars. Department of Law to Item 4 for blank books, etc., to pay Dunlap

Printing Company for printing paper books, notices, testimony and making plans of streets, four hundred and sixty-eight (468) dollars and seventy-three (73) cents. Department of City Commissioners to pay bills of 1893, to Item 10, to pay Hospital for the Insane, Southeastern District of Pennsylvania at Norristown, sixty-seven (67) dollars and seventy-five (75) cents. To Item 11, to pay for keep of prisoners of Philadelphia in the Eastern Penitentiary, one thousand and thirty-six (1,036) dollars and eighty-two (82) cents. To Item 34, to pay for incurables at Wernersville Hospital for Insane, seven hundred and thirty-seven (737) dollars and twenty-five (25) cents.

Approved the twentieth day of February, A. D. 1894.

EDWIN S. STUART.

*Mayor of Philadelphia.*

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## AN ORDINANCE

To approve the contract and surety of Richard P. Bennis, for the construction of a main sewer on Smedley street, from Tioga street to Erie avenue, on Erie avenue to Seventeenth street, and on Seventeenth street to Pulaski avenue; the contract and surety of Johnston and Byrnes, for the erection of a public school house at the northeast corner of Seventeenth and Tasker streets in the Twenty-sixth section; and the contract and surety of Thomas M. Seeds, Jr., for the erection of a fire house at Twenty-seventh street and Highland avenue, Chestnut Hill.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of Richard P. Bennis, for the construction of a main sewer on Smedley street, from Tioga street to Erie avenue, on Erie avenue to Seventeenth street, on Seventeenth street to Pulaski avenue be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said Richard P. Bennis, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer

and Surveyor for the following sums or prices, viz: for circular brick sewer 5 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of eight (8) dollars and ninety (90) cents; for circular brick sewer 4 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of eight (8) dollars and twenty-five (25) cents; for junction chamber with steel top, complete, including all appurtenances, the sum of seven hundred and fifty (750) dollars; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra-cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra-cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra-cotta pipe 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of seventeen thousand (17,000) dollars. That the contract of Johnston and Byrnes, for the erection of a public school house at the northeast corner of Seventeenth and Tasker streets, in the Twenty-sixth Section be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said Johnston and Byrnes, for the faithful performance of the said contract; and that the contract of Thomas M. Seeds, Jr., for the erection of a fire house at Twenty-seventh street and Highland avenue, Chestnut Hill be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said Thomas M. Seeds, Jr., for the faithful performance of the said contract.

Approved the twentieth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize and regulate the construction of an electric elevated railway by the Market Street, Richmond and Frankford Elevated Electric Railway Company, and to authorize a contract between said company and the City of Philadelphia in relation thereto.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That upon the terms and subject to the restrictions hereinafter set forth, the said Market Street, Richmond and Frankford Elevated Electric Railway Company be, and is hereby authorized to build and operate an elevated railway upon the following route: Commencing at a point between Eighth and Ninth streets, on the south side of Filbert street (with the privilege of a spur to Eighth street) with a double track as follows: From the south side of Filbert street across Filbert street, crossing Arch street and Cherry street, and north to Race street over their own property, across Race street to Chester street, or on Cherry street from the crossing point east to Hatton place, north on Hatton place to Race street, west on Race street to Chester street, on Chester street north to Vine street, across Vine street to Garden street, thence north on Garden street to Noble street, thence east on Noble street to St. John street, thence north on St. John street to Beaver street, thence easterly on Beaver street to Otter street, thence northeasterly and easterly on Otter street to Frankford road, thence on and across Frankford road to Wildey street, thence northeasterly on Wildey street to Ash street, thence north on Ash street to Moyer street, thence northeasterly on Moyer street to York street, thence easterly on York street to Salmon street, thence northeasterly on Salmon street to Ann street, thence northwesterly on Ann street to Tulip street, thence northeasterly on Tulip street or Stiles street to Tucker street, thence northwest on Tucker street to Foulkrod street, thence westerly on Foulkrod street to Penn street and the Oxford turnpike, thence north on Oxford turnpike to Martin's Hill road at its intersection with Robbins street, thence northwesterly on Martin's Hill road north to Cheltenham in Montgomery County, with a double track; said railway to be operated by electricity or other than locomotive power, being as near as may be a distance of eight miles of double track or sixteen miles of single track to the place of beginning. And the said company may

also construct at all necessary and convenient places, such sidings, switches, turnouts, supports, connections, landing places, platforms, stations, and all necessary and convenient appliances thereto; buildings, telegraphs and signals and all other requisite and convenient appliances upon the said route and upon or above the grade hereby authorized of said railway as shall be required for the convenient, rapid and safe operation of their road, and authority is here given for the construction and operation of said elevated railway over the streets traversed or crossed by the route of said railway: That the said company's telegraph lines shall be attached to the structure itself. The City shall have the privilege of attaching its wires to the structure without cost or compensation. The stations along the entire line shall not be located at a greater distance than one-half mile apart, and no siding, turnout, or any part of the road which is over a public highway shall be used for the storage of cars, excepting that portion on Filbert street and such portions of said railway south of Race street aforesaid.

SECTION 2. The railway herein authorized shall be elevated on iron piers, so that there shall be a clear headway of not less than fourteen feet at all places, and wherever said railway crosses over the tracks of any steam railroad there shall be a clearance of not less than twenty feet. The railway shall be built upon the best methods of deadening sound. The supports of the structure shall be constructed on the line of the curb on all the streets over which it passes. All public sewers, gas and water pipes, street and sidewalk pavements and all other municipal property shall be carefully preserved and restored when disturbed, to a condition satisfactory to the Director of the Department of Public Works, and all other private property shall be interfered with and damaged as little as possible. The said railway company shall conform their elevation to any revision which the City shall by ordinance direct on the line of their roadway, so as to give a clearance of fourteen feet after the revision is made, and shall also elevate their tracks at steam grade crossings so as to give a clearance of twenty feet.

SECT. 3. The said company shall at all times hereafter run cars over the entire route, stopping at all stations on said route at intervals of not more than ten minutes during the day, except from six o'clock A. M. to nine o'clock A. M. and

from four-and-a-half o'clock P. M. to seven o'clock P. M. when they shall run said cars at intervals of not more than five minutes, and except between the hours of one o'clock A. M. and five o'clock A. M. when they shall run said cars at intervals of not more than one hour. The rate of fare over the lines of said road within the limits of the City of Philadelphia shall not exceed five cents for a continuous ride during the hours from six o'clock A. M. to nine o'clock A. M. and from four-and-a-half o'clock P. M. to seven-and-a-half o'clock P. M. and at all other hours not to exceed ten cents for a continuous ride.

SECT. 4. Work shall be begun within six months and completed over the entire route within three years from the passage of this ordinance; and in case work is not begun in good faith within said six months, and pushed with reasonable dispatch this ordinance shall be null and void. Reasonable dispatch shall be such as the Director of the Department of Public Works shall in his discretion decide.

SECT. 5. Plans of the railway and location of the piers, abutments and columns in the streets and all places for bridges, viaducts, stations, supports and approaches thereof, for the construction of said railway within and crossing the public streets of the City shall be submitted to the Director of the Department of Public works, and be approved by him, and said company shall file a bond in form to be approved by the City Solicitor in the sum of fifty thousand (50,000) dollars, with good and sufficient sureties approved by the Mayor, conditioned for the faithful performance and observance of all the requirements, provisions and restrictions of this ordinance, *Provided*, However; That this bond shall not be construed to secure the payment of a percentage of the gross receipts of the road to the City of Philadelphia as hereinafter provided, but that a separate and additional bond in the sum of fifty-thousand (50,000) dollars in form to be approved by the City Solicitor and with sureties approved by the Mayor, shall be filed as soon as the road or any part thereof is in condition to be operated; and that this last-named bond shall be conditioned for the payment of any percentage of the receipts herein provided to be paid to the City.

SECT. 6. No cars for the carriage of freight shall be moved over the railway herein and hereby authorized in the limits of the City of Philadelphia under a penalty of one hundred

(100) dollars for each and every car, and for every trip run for the carriage of freight, other than property in possession of passengers, to be collected as like penalties are now by law collected.

SECT. 7. The said company shall, on or before the tenth day of January, April, July and October of each year, file with the Controller of the County of Philadelphia, a statement duly sworn to by the President and Secretary of said company, giving the number of passengers carried, together with the rate of fare charged for each passenger, and the amount of the gross receipts of said company during the three months next preceding, and shall at the same time pay into the City Treasury a sum equal to one-half of one per centum of the gross receipts for the three months embraced in said statement: *Provided*: That this section shall not take effect until two years from the time the road shall begin running its cars. The said Controller or other authorized representative or representatives of the City of Philadelphia shall have the right at all times to examine the books, papers and accounts of said company relating to the number of passengers carried and the rate of fare charged, and the said gross receipts in order to verify the accuracy thereof.

SECT. 8. The said Railway Company shall make just compensation for property taken, injured or destroyed by the construction of the said railway or buildings, which compensation shall be secured by the filing in the Court of Common pleas of the City of Philadelphia a bond in the name of the Commonwealth of Pennsylvania to the use of each owner and occupant respectively of the properties abutting on the said streets; said bond to be in the sum of one million (1,000,000) dollars, and to be first approved by two of the Judges of said Court, and shall be conditioned that if the said properties abutting on said streets are not impaired by reason of the construction of said railway then said obligations to be void, otherwise to be and remain in full force and virtue.

SECT. 9. The said railway company may, if it so elects, and it is hereby authorized to build, construct and operate that portion of their lines extending north and northwest of the junction of Penn street and Oxford turnpike, on and over the line from said Penn street and Oxford turnpike to the terminus at Cheltenham as a surface railway under the same

rules as other surface electric railways are operated in this City.

SECT. 10. Before this ordinance shall take effect the said company shall enter into a contract and covenant with the City in form satisfactory to the City Solicitor to perform all and singular the terms and requirements of this ordinance. And the said railway company shall pay into the City Treasury the sum of fifty (50) dollars to pay for the printing of this ordinance.

Approved this twenty-sixth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the purchase of a lot of ground with buildings thereon erected, Nos. 2067 and 2069 East Clearfield street, in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be authorized and directed to examine the title to the lot of ground with buildings thereon erected, situated at Nos. 2067 and 2069 East Clearfield street, in the Twenty-fifth Ward, containing in front thirty-four feet and in depth one hundred and twelve feet, and if he approves of the same to cause a conveyance of said lot of ground with buildings thereon erected to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of six thousand (6000) dollars.

SECT. 2. The sum of six thousand (6000) dollars be, and the same is hereby appropriated out of Item 24 in the annual appropriation to the Department of Public Safety (Bureau of City Property), for the year 1894, to pay for the lot of ground with buildings thereon erected mentioned in the first section hereof.

Approved the twenty-sixth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Directing the cancellation of all certificates of Philadelphia six-per-cent. loans now held by the Commissioners of the Sinking Funds which have been acquired through any Sinking Fund of the City established for the redemption of that particular issue of certificates, and all like certificates which may hereafter in like manner be acquired; and authorizing and directing an annual appropriation to be made to said Commissioners equal in amount to, and in lieu of, the annual interest on the certificates so cancelled, or hereafter to be so cancelled, in addition to the quarterly appropriation of three-tenths of one per centum of the par value of the six-per-cent. loans now made to said Commissioners, as required by law; and directing an appropriation or other provision to be made to supply the deficiency, should any occur, in any of said Sinking Funds.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Commissioners of the Sinking Funds be, and they are hereby directed forthwith, upon the passage of this ordinance, to deliver to the fiscal agent of the City, for the purpose of cancellation and for no other purpose, all such certificates of Philadelphia six-per-cent. loans now held by said Commissioners as have been acquired by purchase or otherwise through, and now form part of, any Sinking Fund of the City established for the redemption of the particular issue of said certificates so through said Sinking Fund acquired and now thereof forming part, first keeping a record of the date, number, amount and name of loan of the certificates so delivered: and the said fiscal agent of the City is hereby directed forthwith, upon receipt of the said certificates, to cancel them in the same manner in which it now cancels the certificates of fully matured loans, first keeping a full and accurate record of the certificates so cancelled: and to return said certificates, when cancelled as aforesaid, to said Commissioners, who shall retain the same until the full maturity of the loans they represent, in evidence of the redemption of the debt of the City to the amount represented by such cancelled certificates. And said Commissioners and said fiscal agent shall report to Councils, within thirty days from the passage of this ordinance, that they have complied with the provisions of this Section,

together with a detailed statement of their proceedings thereunder. From the date of the cancellation of said certificates all interest thereon shall cease.

SECT. 2. Whenever the said Commissioners shall hereafter acquire, by purchase or otherwise, any additional certificates of Philadelphia six per cent. loans through any Sinking Fund of the City established for the redemption of the particular issue of such certificates so through that Sinking Fund acquired, such certificates shall likewise be forthwith cancelled in the manner above provided in Section 1. and all interest on such certificates shall cease from the date of their acquisition as aforesaid. And it shall be the duty of said Commissioners, in their quarterly report to Councils, to present a detailed statement of all certificates so hereafter acquired and cancelled.

SECT. 3. In order to maintain the faith and credit of the City, and to strictly and fully comply with the provisions of all the ordinances authorizing the issue of the six per cent. loans, and to preserve inviolate the Sinking Funds established by such ordinances, there shall annually be appropriated by Councils to the Commissioners of the Sinking Funds, out of the income from the corporate estates and the sum raised by taxation, a sum equal in amount to, and to take the place of, the interest on all the certificates of six per cent. loans cancelled in accordance with the provisions of this ordinance, whether such certificates are now held, or shall hereafter be acquired, as aforesaid, by the said Commissioners. The appropriation herein directed to be made, in lieu of interest on the certificates cancelled as aforesaid, shall in no wise interfere with nor diminish, but shall be in addition to the quarterly appropriation of three-tenths of one per centum of the par value of all certificates of six per cent. loans now made to said Commissioners in accordance with the several ordinances establishing the six per cent. loans. Both these appropriations shall continue to be made to said Commissioners by Councils, in accordance with the several ordinances just mentioned, and with this ordinance, until the date of the maturity of the respective six per cent. loans. And it shall be the duty of said Commissioners to notify the City Controller, on or before August first, in every year, of the amount of money required by them, under the provisions both of the said several ordinances and of this ordinance. And the said City Controller

is hereby authorized and directed to set aside, annually, under the head of the legal liabilities of the City, the amount so required, and to deduct the same from the income of the City, before certifying the amount of income subject to appropriation by Councils for the following year. The appropriation herein provided for shall be drawn by warrants of the Sinking Fund Commissioners, at such times and in such amounts, as will be to the best interests of the Sinking Funds, and shall be distributed among the several Sinking Funds of the City, and be used, invested and disbursed, according to law.

SECT. 4. Should the said Commissioners at any time foresee that the resources of any of the Sinking Funds of the City will be insufficient for the payment of the outstanding unredeemed certificates of the loan, for the redemption of which such (deficient) Sinking Fund was established, said Commissioners are hereby directed to notify Councils, six months before the maturity of such loan, of the sum they will need to pay it, together with a statement of the amount of loan maturing, and of the funds on hand to meet it. And said Councils are hereby directed to make an appropriation, or otherwise provide funds, sufficient to meet such deficiency, prior to the maturity of said loans.

SECT. 5. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize John M. Sharp to erect iron and glass covers or porches over the sidewalks in front of the entrances to the Hotels Hanover and Metropole.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works be authorized to issue permits to John M. Sharp authorizing him to erect iron and glass covers or porches over the sidewalks in front of the main and ladies' entrances, on Arch and on Twelfth streets, of the property known as the Hotel Hanover, at the northwest corner of Arch and Twelfth streets; in front of the main and ladies entrances to the



property known as the Hotel Metropole, on the east side of Broad street, south of Locust street. The said covers or porches to be sustained by iron columns, and shall be not less than nine feet in the clear head room: *Provided*, That the said glass covers or porches shall be removed at any time on the passage of a resolution or ordinance to that effect without notice. The said John M. Sharp shall pay to the City Treasurer the sum of fifty (50) dollars for the publication of this ordinance. All ordinances or parts of ordinances inconsistent herewith be, and the same is hereby repealed.

Approved the twenty-sixth day of February, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Extending the time for the completion of work and the operation of the same authorized by existing ordinances by the several street passenger railways leased to the West Side Traction Company, viz.: Philadelphia West Side, Forty-second street and West Park. and the Forty-ninth street and Westminster avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do obtain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the several street passenger railways leased to the West Side Traction Company, viz.: Philadelphia West Side Passenger Railway, Forty-second Street and West Park Passenger Railway, and the Forty-ninth Street and Westminster Avenue Passenger Railway, which have adopted the trolley system of propelling their cars, in which to begin and two years in which to complete the work and operate the same, as required under the terms of their respective ordinances: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City Treasury by the said company for the publication of this ordinance.

Approved this second day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting permission to George A. Castor to construct a railroad track across Soley avenue, to connect with the tracks of the Bustleton Railroad Company, Thirty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission is hereby granted to George A. Castor to construct a railroad track across Soley avenue to connect his stone quarry with the tracks of the Bustleton Railroad Company, in the Thirty-fifth Ward; said tracks to be built under the supervision and direction of the Department of Public Works, after permission has been first obtained from the Board of Highway Supervisors, and to be removed on the passsge of an ordinance or resolution to that effect. The said George A. Castor shall first pay fifty (50) dollars into the City Treasury for the printing of this ordinance.

Approved this third day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To make an appropriation to the Commissioners of Fairmount Park of the Park Fund received in 1893, and now in the City Treasury.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of eight thousand eight hundred and eighty-two (8,882) dollars and ninety-nine (99) cents, paid into the City Treasury under section 23 of the Act of April 14, 1868, during the year 1893, be, and the same is hereby appropriated to the Commissioners of Fairmount Park. The warrants therefor to be drawn by the said Commissioners.

Approved the third day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the Mayor of the City of Philadelphia to execute a bond to the Collector of the Customs of Port of Chicago to cover articles for the Economic Museum at Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor of the City of Philadelphia is hereby authorized to execute the bond required by the Collector of the Customs of Port of Chicago to cover the goods, wares and merchandise for the Economic Museum at Philadelphia.

Approved the third day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the People's Traction Company to lay water pipe in Delaware avenue from its property on the west side to its property on the east side, between Green street and Fairmount avenue, and to the end of its wharf and dock.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the People's Traction Company to lay one twenty-inch and one twenty-four inch cast iron water pipe under and across Delaware avenue between Green street and Fairmount avenue, from its property on the west side of Delaware avenue to its property on the opposite side of Delaware avenue, between the streets named, the twenty-inch pipe to extend eastward to the end of the company's wharf and the twenty-four inch pipe to extend into the company's dock. The work of laying the pipe shall be done in accordance with plans to be ap-

proved by the Department of Public Works in such manner as shall be satisfactory to the Director thereof. Said pipes shall be removed at any time by the passage of a joint resolution or ordinance to that effect. The said company shall reinstate the paving upon the said street and sidewalks thereof that it may displace, and shall pay the City a minimum water rent of one thousand (1,000) dollars annually on its property as above mentioned.

The said company shall, before exercising any of the privileges under this ordinance, pay fifty (50) dollars into the City treasury for the printing thereof.

Approved the third day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To make an appropriation to Item 4, in the annual appropriation to the Commissioners of Fairmount Park, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of twenty-five thousand (25,000) dollars be, and the same is hereby appropriated to Item 4, general maintenance, in the annual appropriation to the Commissioners of Fairmount Park, for the year 1894.

Approved the third day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the Director of the Department of Public Safety to enter into a new lease with the Camden and Atlantic Railroad Company, present lessee of Vine street landing, Delaware river.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Director of the Department of Public Safety be, and he is hereby authorized to enter into a new lease, to take effect on the expiration of the term of the existing lease, dated July 1, 1893, with the Camden and Atlantic Railroad Company, the present lessees of the Vine street landing, Delaware river, for a term of seven years, at the annual rental as contained in said lease, viz: Seventeen hundred (1700) dollars: *Provided*, The lessees shall, at their own expense, repair the wharves when necessary, and do all the dredging required by the Board of Port Wardens, and shall, at their own expense, extend the landing to the new Port Wardens line when instructed. All repairs to be made under the direction of the Department of Public Safety (Bureau of City Property).

Approved the fifth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia*

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## AN ORDINANCE

To approve the contract and surety of Thomas M. Seeds, Jr., for the erection of a fire house on the south side of Market street, west of Twenty-first street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the contract of Thomas M. Seeds, Jr., for the erection of a fire house on the south side of Market street, west of Twenty-first street, be, and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety of the said Thomas M. Seeds, Jr., for the faithful performance of the said contract.

Approved the fifth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize the Director of Public Safety to enter into new leases with the Pennsylvania Railroad Company, present lessees of certain properties situated upon the Delaware river.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety be, and is hereby authorized to enter into new leases, to take effect upon the expiration of the terms of those now existing, dated respectively, October 1, 1893 and April 1, 1894, with the Pennsylvania Railroad Company, present lessees of that certain wharf property or landing at the foot of Walnut street, and of that certain wharf property or landing at the foot of Reed street, all in the City of Philadelphia and situate upon the Delaware river. Said new leases to be for a term of seven years at the annual rental as contained in said leases, to wit: Walnut street landing, dated October 1, 1893, five hundred (500) dollars; Reed street landing, dated April 1, 1894, three hundred (300) dollars; *Provided*, The lessees shall at their own expense repair the wharves when necessary and do all dredging required by the Board of Port Wardens at the above wharves, and shall at their own expense extend the wharves to the new Port Wardens' line when instructed; all repairs to be made under the direction of the Department of Public Safety, Bureau of City Property.

Approved the fifth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

Extending the time for the completion of work authorized by existing ordinances by the several street passenger railways leased to and operated by the Philadelphia Traction Company, and the operation of the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby

granted to the several street passenger railways leased to and operated by the Philadelphia Traction Company, and which have adopted the trolley system of propelling their cars, in which to begin and two years in which to complete the work and operate the same, as required under the terms of their respective ordinances: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury by the Philadelphia Traction Company for the publication of this ordinance.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To extend the time of the Delaware and Schuylkill Electric Railway Company for the completion of the work of laying their tracks and constructing their trolley system, and operation of the same, as authorized by ordinance of June 27, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Delaware and Schuylkill Electric Railway Company in which to begin, and two years in which to complete the work and operate the same, as required under the terms of the ordinance, approved June 27, 1893: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City Treasury by the said Company for the publication of this ordinance.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To extend the time of the Holmesburg, Tacony and Frankford Electric Railway Company, for the completion of the work of laying their tracks and constructing their trolley system and the operation of the same, as authorized by ordinance of December 23d, 1892.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Holmesburg, Tacony and Frankford Electric Railway Company in which to begin, and two years in which to complete the work and the operation of the same, as required under the terms of the ordinance approved December 23d, 1892: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury by the said company for the publication of this ordinance.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to certain items in the annual appropriations to the Departments of Public Works, Public Safety and Law and Clerks of Councils, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixty-seven thousand one hundred and ninety-two (67,192) dollars and ninety-six (96) cents be, and the same is hereby appropriated to certain items in the annual appropriations to the Departments of Public Works, Public Safety and Law, and Clerks of Councils for the year 1894, as follows: Department of Public Works, Bureau of Highways to Item 23, for repairing with macadam Olney road, from Old York road to Oxford pike, in the Twenty-second Ward, fifteen thousand (15,000) dollars; Rhawn street, from Bustleton turnpike to Second street pike, ten thousand (10,000) dollars; Loney street and Borbeck street, from Fillmore street to Oxford road, five thousand (5,000)



dollars; total, thirty thousand (30,000) dollars: *Provided*, The property owners abutting thereon shall first enter into an agreement not to be exempt from paying for permanent improvements when ordered to be done by ordinances. Department of Public Safety, Director's Office, to Item 2, to make the salary of clerk the same as in 1893, two hundred (200) dollars; Electrical Bureau, to Item 16, for electric lighting, for electric lights in the Twenty-third and Thirty-fifth Wards, twenty thousand (20,000) dollars; to Item 18, for underground electric service on Lehigh avenue, between Broad and Richmond streets, for electric lighting, ten thousand (10,000) dollars; Bureau of City Property, to Item 42, for the purchase of premises in rear of fire station, and for alterations to fire house on South street above Eighteenth street, three thousand three hundred (3,300) dollars. Department of Law, to Item 1, for salary of superintendent for road jury rooms, southwest corner of Fifth and Chestnut streets, nine hundred (900) dollars per annum; to Item 2, for Prothonotary's costs to pay a bill for Clerk of the District Court of United States, four hundred and thirty-seven (437) dollars and sixty-six (66) cents; to new Item 5½, for rent of additional rooms and furnishing same, seven hundred (700) dollars; Clerks of Councils, to Item 7, for incidentals, one thousand six hundred and fifty-five (1,655) dollars and thirty (30) cents.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

Appropriating one hundred thousand (100,000) dollars to new item 4½ in the annual appropriation to the Department of Public Works (Bureau of Highways), for repair, improvement and maintenance of country roads, and unpaved streets in rural and suburban sections of the City of Philadelphia

WHEREAS, The City of Philadelphia has within its limits miles of country roads and unpaved streets in rural and suburban sections, most of which are in an almost impassable condition, and all in need of immediate repair.

AND WHEREAS, It is the legal duty of the City to keep and maintain all of said streets and roads in a condition fit for travel.

AND WHEREAS, There is an unusual number of men out of employment at this time all over the City, who are capable of repairing said streets, and whom it is deemed wise to employ at once on said work, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the sum of one hundred thousand (100,000) dollars be, and the same is hereby appropriated to new item 4½ of the Department of Public Works (Bureau of Highways), for the repair, improvement and maintenance of country roads and unpaved or dirt streets in rural or suburban sections of this City which cannot now be paved by reason of frontage on same not being assessed at full city rates.

SECT. 2. That the Director of the Department of Public Works be, and is hereby authorized to employ by the day a sufficient number of men at a cost not exceeding one dollar and a half per day, horses and carts at a cost not exceeding three dollars and a half per day, each, and any other labor; to purchase or hire such tools or appliances, and to contract for or purchase stone or other materials that may be necessary to do the work provided for in Section 1 of this ordinance: *Provided,* That residents of Philadelphia and citizens of the United States shall be employed on this work.

SECT. 3. That all work done upon any street or road under this ordinance shall be at such a grade as may be determined upon by the Director of the Department of Public Works, but such temporary grade shall not be considered as revising the grade of said street.

SECT. 4. That the City Controller is hereby authorized to countersign all warrants drawn against this item for labor or hire of appliances upon the certificate of the approval of the pay rolls or other bills by the Director of the Department of Public Works.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to certain items in the annual appropriations to the Departments of Receiver of Taxes and Public Safety, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of twelve thousand two hundred and twenty-four (12,224) dollars and thirty-nine (39) cents be, and the same is hereby appropriated to the following items in the annual appropriations to the Departments of Receiver of Taxes and Public Safety, for the year 1894, viz :

Department of Receiver of Taxes to item 4, for salaries, one thousand six hundred and sixty-six (1,666) dollars and sixty-six (66) cents ; to pay salaries of two application and registering clerks from March 1st, at the rate of one thousand (1,000) dollars per annum each, one for Frankford Gas Office and one for Manayunk Gas Office ; to item 8½, for compensation of the Receiver of Taxes of the Twenty-third and Thirty-fifth Wards, one hundred and thirty-two (132) dollars and thirty-five (35) cents, to pay said Receiver for collections in excess of appropriation for 1893 ; to new item 13, for refunding certain twice paid, overpaid and paid in error water rents, etc., nine hundred and twenty-five (925) dollars and thirty-eight (38) cents, for refunding certain twice paid, overpaid and paid in error water rents, permits and pipe laying bills paid to the Department of Receiver of Taxes (Bureau of Water) from June 1st to December 31st, 1893, and for which no previous ordinance has been passed to refund the same ; warrants for the same to be drawn in favor of the persons named in schedule filed with the City Controller.

Department of Public Safety, Electrical Bureau, to item 18, for underground electric service on Fairmount avenue, from Broad street to Pennsylvania avenue, in the Fifteenth Ward, nine thousand (9,000) dollars ; Bureau of City Property, to new item 5½, for the expenses of the Commission in securing the value of wharf properties adjoining City wharves and other information for the use of the Commission, five hundred (500) dollars.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting permission to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires, on the streets along which The Citizens' North Philadelphia Street Railway Company's tracks are to be laid, and to permit any lessee of the said railway to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia, do ordain,* That permission is hereby granted to The Citizens' North Philadelphia Street Railway Company, and to any lessee of the same, to occupy the following streets and to use electric motors as the propelling power of the cars, on the tracks of said Company, which are hereby authorized to be laid, as follows: Commencing at Eleventh and Cambria streets, in the City of Philadelphia, thence along Eleventh street to Chew street; thence along Chew street to Tenth street; thence along Tenth street to Indiana street; on Indiana street to Eleventh street, with the right to use such streets as may be opened around Hunting Park, for the purpose of making a circuit; from the intersection of Eleventh and Cambria streets eastwardly on said Cambria street to Hutchinson street; thence southwardly on said Hutchinson street to Huntingdon street; thence westwardly on said Huntingdon street, to the said Germantown avenue or Tenth street; thence southwardly along the said Germantown avenue or Tenth street to its junction with the present Tenth street, and thence southwardly on said Tenth street to Cumberland street; also, Glenwood avenue, Tenth street to Eleventh street; Sedgeley avenue, Tenth street to Eleventh street.

SECT. 2. Said motors to be supplied from overhead wires, supported by iron poles, not less than twenty feet high, which the said Company is authorized to erect and maintain, and to be placed opposite each other, within the curb lines, and connected with street wires, or at the option of the Company, to be erected in the middle of the streets, with a double bracket thereon suspending the overhead construction. The same to be of the kind, style and system as that now constructed by the Catharine and Bainbridge Street Railway Company, and all feed wires shall be buried.

SECT. 3. Before any permit shall be issued by the Department of the City to proceed with the work of constructing the

railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall among other things provide, that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway or by its trolley system; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of its roadbed, cars and its trolley system, all kinds and characters of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way, at all times, to the approval and inspection of the Departments of Public Works and Public Safety. That the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils. The wires necessary for supplying the motors or cars crossing bridges on lines authorized, shall be erected according to the plans to be submitted and approved by the Directors of Public Works and Safety. That the said railway company shall run cars over its entire line at intervals not exceeding five minutes, between the hours of 6 and 9 A. M., and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line, shall not exceed the present rates per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten cents: that the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named. That work upon the said railway and trolley system, shall so far as the same relates to the following streets and routes, to wit: From Eleventh and Cambria streets, east on Cambria street to Hutchinson street, south on Hutchinson street to Huntingdon street, west on Huntingdon street to Germantown avenue or Tenth street,

south on Germantown avenue or Tenth street to Tenth and Cumberland streets, shall be begun, completed and in operation within two years from the date of this ordinance. And that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury if the said railway company shall default in its agreements.

SECT. 4. That the said company shall under the supervision of the Department of Public Works, repave in good, substantial and workmanlike manner with Belgian blocks or other improved pavement as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by, and to the satisfaction of the said Department, all streets to be occupied by it not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department, said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires, or other electric motive power, shall be commenced thereon and shall be pushed and completed, with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein; and that the said company shall at all times hereafter keep the said paving in good repair, when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, that such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the streets occupied by it, that may be re-

quired by any ordinance of Councils which has been passed, or which may hereafter be passed, or from any other duty or obligation resting upon it, regarding paving and repaving, that is incumbent on it, under, and in virtue of any Act of Assembly. And that fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the sixth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the creation of a loan or loans by the City of Philadelphia for the sum of six million (6,000,000) dollars for the work necessary to abolish all grade crossings on Pennsylvania avenue and Noble street between the east side of Thirteenth street and Poplar street, in the Fourteenth and Fifteenth Wards, by depressing the tracks and yards of the Philadelphia and Reading Railroad Company on Pennsylvania avenue between Broad street and Thirtieth street: the alterations in the lines and grades of the tracks and yards between the north side of Noble street and Callowhill street, and between Broad street and Eleventh street: alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad Company east of Broad street between Noble street and Vine street, and for all costs and damages arising therefrom.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor of the City be, and he is hereby authorized (at such times and in such proportions as in his judgment the best interests of the City demand) to borrow from the highest bidder or bidders at not less than par, on the faith and credit of the City of Philadelphia, a sum or sums which in the aggregate shall not exceed six million (6,000,000) dollars, for the purposes set forth in the second section of this ordinance.

SECT. 2. The money raised by the loan or loans authorized by the first section of this bill shall be expended as follows: For abolishing all grade crossings on the line of Pennsylvania avenue and Noble street between the east side of Thirteenth

street and Poplar street, in the Fourteenth and Fifteenth Wards; for depressing the tracks and yards of the Philadelphia and Reading Railroad between Broad street and Thirtieth street; for the alterations of the lines and grades of its tracks and yards between the north side of Noble street and Callowhill street, and between Eleventh street and Broad street; the alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad Company east of Broad street between Noble street and its present structure at Vine street, including the alterations, construction and reconstruction of all yards, tracks, freight engine, depot and signal buildings, and necessary alterations of industrial buildings and track connections therewith, along the line of the Philadelphia and Reading Railroad and the Philadelphia and Reading Terminal Railroad between Eleventh street and Poplar street; for the erection of the necessary retaining walls and other masonry constructions, and for the maintenance of railroad and highway travel during construction. For the erection of bridges and their approaches to carry Broad street, Fifteenth street, Sixteenth street, Seventeenth street, Eighteenth street, Nineteenth street, Twentieth street, and Twenty-first street over the tracks of the Philadelphia and Reading Railroad, and a bridge and its approaches on the line of Thirteenth street in the vicinity of Noble street to carry Thirteenth street under the tracks of the Philadelphia and Reading Railroad Company and the Philadelphia and Reading Terminal Company, and for carrying the tracks of the Philadelphia and Reading Company by open subway and tunnel from Thirteenth street to Thirtieth street; for paving and repaving Pennsylvania avenue and other streets; for the construction, reconstruction and alteration of all sewers, gas and water mains, electrical conduits and other municipal structures incident thereto, including all necessary expenses for the proper construction and supervision of all the foregoing work; and for all costs and damages by reason of the widening of Pennsylvania avenue between Twenty-first street and Thirtieth street, and by reason of the revision of lines and grades of streets made necessary to carry out the work contemplated as aforesaid.

SECT. 3. Interest on the said loans at a rate not exceeding four (4) per centum per annum shall be paid by the City half yearly on the first day of the months of January and July at the office of the fiscal agency of the City of Philadelphia.



The principal of said loan shall be divided into twenty (20) series of three hundred thousand (300,000) dollars each, alphabetically arranged, and each series shall be paid annually on the thirty-first day of December at said office until the whole loan shall be paid, commencing with series "A," which shall be paid on the thirty-first day of December, 1904. The certificates of said loan shall be in the usual form, in such amounts as the lenders may require, in sums of one hundred dollars and its multiple; and it shall be expressed in said certificates that the loan therein mentioned, and the interest thereof, are payable in lawful money of the United States and free from all taxes.

SECT. 4. Whenever any loan shall be created by virtue of this ordinance there shall be thereafter annually appropriated out of the income of the City of Philadelphia and from the money raised by taxation a sum sufficient to pay the interest on said loans, and after the loan shall become payable there shall be annually appropriated for the payment of the principal the sum of three hundred thousand (300,000) dollars until the whole principal shall have been paid.

Approved the fifteenth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the appointment of a Joint Standing Committee on the celebration of the Fourth of July.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That from and after the passage of this ordinance there shall be established a Joint Standing Committee of Councils to be designated The Committee on Celebration of the Fourth of July, the chairman of which shall be a member of Common Council, and the Committee to consist of twelve members from each Chamber.

Approved the fifteenth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to certain items in the annual appropriations to the Board of Public Education and Commissioners of Fairmount Park, for the year 1894, for the formation of Educational and Economic Museums.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of twenty-five thousand (25,000) dollars be, and the same is hereby appropriated to certain items in the annual appropriations to the Board of Public Education and Commissioners of Fairmount Park, for the year 1894, as follows:

Board of Public Education: To new Item 53½, for the purposes of Educational Museum, ten thousand (10,000) dollars.  
Commissioners of Fairmount Park: To new Item 19½, for the purposes of an Economic Museum, fifteen thousand (15,000) dollars.

Approved the fifteenth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Making an appropriation to defray the expenses of lighting Walnut Street Bridge.

WHEREAS, In 1893, twenty-one (21) electric lights were placed on Walnut Street Bridge, without the same having been located by ordinance,

AND WHEREAS, It is necessary that said lamps should be located by ordinance of Councils, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That twenty-one (21) electric lights be, and the same are located on Walnut Street Bridge, and the amount of one thousand three hundred and eighty-four (1,384) dollars and eleven (11) cents having been set apart in the appropriation for the year 1894, to pay for said

lights, the Director of the Department of Public Safety is hereby authorized to draw a warrant on the item for lighting of the appropriation to the Department of Public Safety (Electrical Bureau), 1894, to pay for the said lights.

Approved the sixteenth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the drawing of warrants against certain items of the appropriation of 1894, to the Department of Public Safety, to pay bills of 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Safety is hereby authorized to draw warrants against the appropriation for 1894, to pay bills of 1893, as follows: Bureau of City Property—against Item 5. of 1894, for fifty-three (53) dollars and eighty-eight (88) cents, to pay for advertising for the sale of City property, and against Item 2, for one hundred and seventy (170) dollars and thirty-five (35) cents, to pay cost of advertising for supplies, etc., for 1893.

Bureau of Police—against Item 4, for one hundred and sixty-nine (169) dollars and sixty-five (65) cents, to pay district surgeons.

Bureau of Health—against Item 2, for six hundred and twenty-seven (627) dollars and sixty (60) cents, to pay vaccine physicians; against Item 4, eighty-four (84) dollars and twenty-six (26) cents, for incidentals; against Item 6, two hundred and ten (210) dollars and fifty-three (53) cents, for removal of nuisances; against Item 14, for sixty-two (62) dollars and eighty-six (86) cents, for labor and material, and that the City Controller be, and is hereby authorized and directed to countersign the said warrants.

Approved the sixteenth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the work necessary to abolish all grade crossings on Pennsylvania avenue and Noble street, between the east side of Thirteenth street and Poplar street, in the Fourteenth and Fifteenth Wards, by depressing the tracks and yards of the Philadelphia and Reading Railroad Company on Pennsylvania avenue, between Broad street and Thirtieth street: providing for alterations in the lines and grades of its tracks and yards between the north side of Noble street and Callowhill street, and between Broad street and Eleventh street; and alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad Company east of Broad street, between Noble street and Carlton street; to authorize the revision of lines and grades of streets, and otherwise provide for said constructions and all matters incident thereto; and providing for the carrying into effect such authority and certain conditions.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to advertise for proposals and to enter into contracts, in accordance with existing laws and ordinances, for the construction of the work necessary to abolish all grade crossings on the line of Pennsylvania avenue and Noble street, between the east side of Thirteenth street and Poplar street, in the Fourteenth and Fifteenth Wards; for depressing the tracks and yards of the Philadelphia and Reading Railroad Company, between Broad street and Thirtieth street; for alterations of the lines and grades of its tracks and yards between the north side of Noble street and Callowhill street, and between Eleventh street and Broad street; for alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad east of Broad street, between Noble street and Carlton street, including the alteration, construction and reconstruction of all the yard tracks, freight, engine, depot, and signal buildings, and other structures and appurtenances, with as much accommodation and in as full and convenient a method for operation and conducting business as now exists; and to provide for the continuance of adequate track connections with the various industrial establishments along the line of the Philadelphia and Reading Railroad; for erecting the

necessary retaining walls and other masonry constructions, for the construction and removal of temporary railroad tracks and the maintenance of railroad and highway travel during construction; for the erection of bridges and their approaches to carry Broad street, Fifteenth street, Sixteenth street, Seventeenth street, Eighteenth street, Nineteenth street, Twentieth street, and Twenty-first street over the tracks of the Philadelphia and Reading Railroad, and of a bridge and its approaches on the line of Thirteenth street, in the vicinity of Noble street, to carry Thirteenth street under the tracks of the Philadelphia and Reading Railroad Company and the Philadelphia and Reading Terminal Railroad Company; and for carrying the tracks of the Philadelphia and Reading Railroad Company by open subway from Broad street to Hamilton street, by tunnel from Hamilton street to a point near Taney street, and thence by open subway to a point at or near Thirtieth street; for paving and repaving Pennsylvania avenue and other streets; and for the construction, reconstruction, and alteration of all sewers, gas and water mains, electrical conduits, and other municipal structures incident to all the aforesaid work and necessary for its proper completion.

SECT. 2. That all the work authorized and provided for by this ordinance shall be done under the direction and supervision of the Director of the Department of Public Works, who is hereby authorized and directed to appoint such assistant engineers and draughtsmen, and engineer corps as may, in his judgment, be necessary for the prompt and efficient execution of the works, and to appoint inspectors for the various classes of work as may be required during the progress thereof.

All the expenses for salaries, inspection, tests, transportation and incidental expenses not otherwise provided for shall be paid out of the appropriation for the work herein authorized.

The Director of the Department of Public Works is hereby authorized and directed to confer, during the progress of the said work, with an engineer to be appointed by the Philadelphia and Reading Railroad Company, in regard to the carrying out of the specifications for the said work and securing the due performance of the provisions of the contracts therefor; and the said Director of the Department of Public Works shall, upon notification by the said engineer of any failure or default upon the part of the contractors, promptly proceed to secure a full compliance with said specifications and the provisions of the said contracts.

SECT. 3. That the Department of Public Works (Bureau of Surveys) be, and is hereby authorized to make any necessary revisions of the lines and grades of the streets upon the City plan west of Eleventh street, in order to properly carry out the work herein authorized; to widen Pennsylvania avenue so far as may be necessary to enable the said tunnel to be constructed and the sewer under said avenue to be reconstructed, and to strike from the City plan Thirtieth street where it crosses Pennsylvania avenue: *Provided*, That the Philadelphia and Reading Railroad Company shall release to the City of Philadelphia any and all right and title which it may have, to maintain railroad tracks upon the surface of that part of Pennsylvania avenue, occupied by the tunnel between Hamilton street and Taney street.

SECT. 4. That permission is hereby granted to the Philadelphia and Reading Railroad Company to lay tracks temporarily during the progress of the work on City property, on Pennsylvania avenue, Hamilton and Callowhill streets, and on any other streets the Director of the Department of Public Works may determine to be necessary for maintaining railroad traffic and for providing adequate connections of the track system of said railroad company with the various industrial establishments along the line thereof; said tracks to be removed immediately after the completion of the work, upon notice to that effect from the Director of the Department of Public Works, and the said property and streets to be restored to a proper condition.

SECT. 5. All the work, both permanent and temporary, hereinbefore specified and authorized shall be constructed in substantial accordance with such plans and specifications as shall be identified by the signatures of the Director of the Department of Public Works and the President of the Philadelphia and Reading Railroad Company, one copy of which shall be forthwith filed in the Department of Public Works, and the other with the Philadelphia and Reading Railroad Company. Changes in the details thereof may be made by the Department of Public Works with the assent of the Philadelphia and Reading Railroad Company.

SECT. 6. That before any work is commenced under authority of this ordinance, the Philadelphia and Reading Railroad Company shall file a bond, in form to be approved by the City Solicitor, in the sum of five hundred thousand (500,000)

dollars, with good and sufficient security, to be approved by the Mayor, conditioned to pay to the City of Philadelphia one-half the total expenditure for the construction of the work herein provided for, and for damages to public or private property by reason of the construction, and by reason of the necessary revision of lines and grades of streets affected thereby, in manner as follows: One-half of the annual interest charges upon the loan or loans which may be authorized from time to time to carry out said work, to be paid into the City Treasury on or before the first day of the months of January and July in each year, until the date when the first series "A" of the principal is redeemable, when said railroad company shall pay into the City Treasury, in addition to the interest, one-half the amount of the principal of said series, which shall fall due on said date; and shall so pay year by year as the principal falls due, one-half the amount of said principal and interest, until the whole amount of the loan shall have been paid:

*Provided, however,* That the liability of the Philadelphia and Reading Railroad Company shall not, in any event or for any reason or cause whatsoever, arising out of this ordinance or out of its acceptance thereof, or out of the acts of the City of Philadelphia herein provided for, exceed the principal sum of three million (3,000,000) dollars and the accruing interest thereon at the rate paid by the City of Philadelphia on the said loan.

*And provided further,* That if any judgment shall be recovered against the Philadelphia and Reading Railroad Company for damages to private property in consequence of the construction of the works herein provided for, the amount thereof shall be paid, as a part of the cost of the said works, by the City of Philadelphia.

SECT. 7. That before this ordinance shall take effect the Philadelphia and Reading Railroad Company shall file at the Law Department, its acceptance of the provisions named in this ordinance, and a covenant, in form to be approved by the City Solicitor, to perform all of the conditions and provisions hereof, so far as they relate to the said company.

SECT. 8. That the Mayor is hereby authorized to enter security on behalf of the City to indemnify the owners of private property who may be injured by reason of the carrying out of the provisions of this ordinance.

SECT. 9. That the Mayor having entered security under Section 8 of this ordinance, the Director of the Department of Public Works is hereby authorized and directed to give three months notice to the owners of private property affected, that on or after the expiration of the said three months, the Department of Public Works, on behalf of the City, will enter upon and take possession of such part or parts of their respective properties as shall be required by the carrying out of the work authorized by this ordinance.

SECT. 10. The said works shall be commenced immediately, and shall be vigorously prosecuted without delay or interruption, so that the same may be finished at the earliest date. All the contracts shall contain enforceable provisions on this subject.

SECT. 11. Upon the acceptance of this ordinance and the execution of the covenant by the Philadelphia and Reading Railroad Company as hereinbefore provided, so much of the eighth section of the ordinance approved December 26, 1890, entitled "An Ordinance relating to the construction of the railroad of the Philadelphia and Reading Terminal Railroad Company within the City of Philadelphia," etc., as provides for revising the grade of Broad street at or near Pennsylvania avenue, where Broad street crosses the line of the Philadelphia and Reading Railroad Company, and for carrying Broad street over the said railroad be, and the same is hereby repealed.

Approved the seventeenth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To grant permission to the Philadelphia, Cheltenham and Jenkintown Passenger Railway Company to lay its tracks, erect poles and overhead wires for the purpose of using electricity as a motive power on their cars in conformity with the provisions of their charter and the Act of Assembly of May 14, A. D. 1889, on the York road within the limits of the County of Philadelphia.

WHEREAS, The Philadelphia, Cheltenham and Jenkintown Passenger Railway, on account of its occupation of private



property with its tracks, is unable to comply with all the requirements that are properly attached by Ordinance to Street Railways.

AND WHEREAS, It has no right and can make no contract with the City except as to those highways of the City it may occupy, and which it will do whenever necessary.

AND WHEREAS, It is very desirous of building its road, so as to give much needed accommodations to a large territory now without adequate means of transportation, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That in accordance with the provisions of its charter granted in conformity with the provisions of the Act of Assembly approved May 14th, 1889, entitled An Act to provide for the Incorporation and Government of Street Railway Companies in this Commonwealth, permission is hereby granted to the Philadelphia, Cheltenham and Jenkintown Passenger Railway Company to lay its tracks, erect its poles and overhead wires for the purpose of using electricity as a motive power on the York road within the limits of the County of Philadelphia, from its intersection with the County line in the Twenty-second Ward, to its intersection with Germantown avenue, and to cross such streets, lanes and avenues as may now or hereafter intersect and cross the said York road, within the limits of said County, between the points named.

SECT. 2. Before any permits shall be issued by the Departments of the City that may be necessary under the provisions of this ordinance for the purpose of constructing said Railway, the said Corporation shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City, and which shall be approved by the City Solicitor), wherein it shall be expressly agreed that said Railway Company shall keep and maintain in good order at all times its tracks, poles and overhead wires, and any street, road or avenue belonging to the City of Philadelphia, whether paved or otherwise, upon which its tracks may be laid, and shall enter into no agreement with the corporation owning said York road to change the grade thereof at any street intersections unless the plans shall first be submitted to and be approved by the Chief of the Bureau of Surveys of said City. That the rate of fare on said Railway within the County limits shall be five cents for each passenger for a ride in either direction, except between the hours of twelve mid-

night and five A. M., when the fare shall not exceed ten cents. That said corporation shall, after the passage of this Ordinance, commence the construction of and finish said road within the time limit fixed by the Act of Assembly aforesaid, and shall furnish and execute a bond in the form approved by the City Solicitor, and with security to be approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned for the faithful execution and carrying out of all the terms of this Ordinance, and all other laws and ordinances now or hereafter to be passed, concerning the use and occupancy of the streets, the paving and repaving of any roads and avenues of this City that may now or hereafter be occupied by said Railway, which bond shall be forfeited to the City if said Railway Company shall default in its agreement. That said Company shall not change its motive power without the consent of Councils being first had and obtained after its charter has been amended in that respect. And shall, when it acquires the ownership of said road, dedicate the same as a public highway, and shall pay into the City Treasury the sum of fifty (50) dollars for printing this Ordinance.

Approved the nineteenth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Extending the time for the completion of the work authorized by existing ordinances by the several street passenger railways leased to, and operated by the People's Passenger Railway Company, viz.: People's, Germantown, Green and Coates Street, Cheltenham Avenue and Centennial Passenger Railways and operation of same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the following street passenger railway companies leased to, and operated by the People's Passenger Railway Company, viz.: People's, Germantown, Green and Coates Street, Cheltenham Avenue and Centennial Passenger Railways which have adopted the trolley system of propelling their cars,

in which to begin and two years in which to complete the work and operation of the same as required under the terms of their respective ordinances: *Provided*, That the sum of fifty (50) dollars shall be first paid by said People's Passenger Railway Company into the City treasury for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To extend the time of the Fairmount Park and Haddington Passenger Railway Company for the completion of the work of laying their tracks and constructing their trolley system and operation of the same, as authorized by ordinance of December 1, 1892.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Fairmount Park and Haddington Passenger Railway Company in which to begin and two years in which to complete the work and operate the same, as required under the terms of the ordinance approved December 1, 1892. *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury by the said company for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

Extending the time for the completion of work authorized by existing ordinances by the several street passenger railways leased to and operated by the Electric Traction Company and operation of the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*: That an extension of time for a

period of one year from the passage of this ordinance is hereby granted to the several street passenger railways leased to and operated by the Electric Traction Company, and which have adopted the trolley system of propelling their cars, in which to begin, and two years in which to complete the work and operate the same, as required under the terms of their respective ordinances: *Provided*, That the sum of fifty (50) dollars shall be first paid by said Electric Traction Company into the City treasury for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE.

To extend the time of the Elmwood and Fairmount Park Passenger Railway Company for the completion of the work of laying their tracks and constructing their trolley system and operation of the same, as authorized by ordinance of December 1st, 1892.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*: That an extension of time for a period of one year from the passage of this ordinance, is hereby granted to the Elmwood and Fairmount Park Passenger Railway Company in which to begin, and two years in which to complete the work and operation of the same, as required under the terms of the ordinance approved December 1st, 1892: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury by the said company for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To extend the time of the Northern Passenger Railway Company for the completion of the work of laying their tracks and constructing their trolley system, as authorized by ordinance of March 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Northern Passenger Railway Company in which to begin and two years in which to complete the work, as required under the terms of the ordinance approved March 30, 1893: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To extend the time of the Hestonville, Mantua and Fairmount Passenger Railroad Company for the completion of the work of laying their tracks and constructing their trolley system, as authorized by ordinance of March 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Hestonville, Mantua, and Fairmount Passenger Railroad Company in which to begin and two years in which to complete the work, as required under the terms of the ordinance approved March 30, 1893: *Provided*, That the sum of fifty (50) dollars shall be first paid into the City treasury for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To extend the time of the Southern Passenger Railway Company for the completion of the work of laying their tracks and constructing their trolley system as authorized by ordinances of July 3, 1893, and December 21, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an extension of time for a period of one year from the passage of this ordinance is hereby granted to the Southern Passenger Railway Company in which to begin and two years in which to complete the work as required under the terms of the ordinance approved July 3, 1893, and December 21, 1893; *Provided*, That the sum of fifty (50) dollars shall be first paid into the City Treasury for the publication of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting consent to the Huntingdon Street Connecting Railway Company and the Philadelphia Traction Company to construct a street railway, to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That consent is hereby given to the Huntingdon Street Connecting Passenger Railway Company and the Philadelphia Traction Company to construct a single track railway on Huntingdon street, from Carlisle to Seventeenth street, with the necessary curves and switches, and also to use electric motors as the propelling power of its cars, with the necessary standards and appliances needed to operate the same by overhead electric wires.

SECTION 2. Before any permits shall be issued by the Departments of the City of Philadelphia to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor, and shall among other things, provide that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway or by its trolley system; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of its roadbed, cars or its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Department of Public Works and Public Safety; that the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed the present fare excepting between midnight and 5 o'clock, A. M., when it shall not exceed ten (10) cents; that the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named; that work upon the said railway and trolley system shall be begun within one year, completed and in operation over the entire route herein named within two years, and that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with surety approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the City treasury if the said railway company shall default in its agreement.

SECTION 3. That the said company shall, under the supervision of the Department of Public Works, repave in good, substantial and workmanlike manner with Belgian blocks or other improved pavement, as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said department, all streets to be occupied by it not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein; and that said company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils, which has been passed or which may be passed, or from any other duty or obligation resting upon it regarding paving and repaving that is incumbent on it under and in virtue of any Act of Assembly. And that fifty (50) dollars shall be paid into the City treasury by said company for printing this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To revise the lines and grades of Spruce street, between Fifth street and the Schuylkill river, in the Fifth, Seventh and Eighth Wards of the City of Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works, Bureau of Surveys, be, and is hereby authorized to revise the lines and grades of Spruce street, between Fifth street and the Schuylkill river, in the Fifth, Seventh and Eighth Wards, so as to make the lines thereof conform as nearly as practicable to the lines of those buildings which have receded from the present line of the street, and to make the line uniform for each block.

SECT. 2. No new buildings shall be erected or old buildings altered hereafter to extend beyond the lines established by authority of this ordinance.

Approved the twenty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize the location and erection of electric lights.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety be, and is hereby authorized and directed to erect electric lights on the following streets and avenues: Front and Tasker; Tasker and Swanson; Fifth and Morris; Seventh and Morris; Eighth and Morris; Otsego and Morris; Swanson and Morris; Fourth and Cantrell; Sixth and Snyder; Norris, east of Seventeenth; Tenth and Millin; Eighth and Moore; Ninth and Moore; Sixth and Millin; Ninth and Millin; Eleventh and McKean; Eleventh and Snyder; Carlisle and Poplar; Front and McKean; Second and McKean; Sixth and McKean; Second and Jackson; Fourth and Worth; Fourth and McKean; Moyamensing and Moore; Tenth and Jackson; Thirteenth and Jackson;

Eighth and McKean; Howard, 250 feet south of Susquehanna; Amber and William; between 1002 and 1004 Moyamensing avenue; north side of Wharton, between Eighth and Ninth; north side of Wharton, between Seventh and Eighth; Passyunk and Marriott; Third, between Federal and Wharton; Fifth, between Carpenter and Washington; Front, between Federal and Wharton; Moyamensing, between Washington and Federal; Washington, between Front and Second; Thirtieth and Berks; Passyunk and Washington; Otsego, between Washington and Christian; Eighth and Enue; Eighth between Federal and Passyunk; Thirteenth and south Marshall; Twelfth and Peter; Twelfth and Camilla; Eighth and Auburn; Ninth and Auburn; Sedgley avenue and Berks; west side of Tenth opposite Auburn; Washington avenue, between Thirteenth and Broad; Miller, opposite Barnett; Seventh, between Federal and Wharton; Sixth, between Washington and Federal; Sixth, between Federal and Wharton; Seventh and Moss; Moyamensing, between Federal and Wharton; Temple and Lagrange; Market, west of Thirty-third; Howard and Montgomery avenue; Willington and Columbia avenue; Parham, between Swanson and Front; Grover and Beck places; German, between Second and Third; Kauffman and Morton place; Fourth and Harmony; Fifth and Harmony; Jane, between Passyunk and Fifth; Sixth between Fitzwater and Catherine; Trenton avenue and Sergeant; Eighth and Catherine; Hubbell, between Fitzwater and Catherine; Montcalm, between Fitzwater and Catherine; Montcalm, between Catherine and Christian; Fitzwater, between Twelfth and Thirteenth; front of No. 225 Concord; Christian, between Thirteenth and Broad; Thirty-second and Berks; Ninth, between Fitzwater and Catherine; Sixteenth, opposite Rundle; Sixteenth and Stone; Lombard, between Sixteenth and Seventeenth; Pine, opposite Bradford; Seventeenth and Helmuth; Seventeenth and Burton; Mifflin and Berks; Hancock and Norris; Belmont avenue and Midvale; South, between Twelfth and Thirteenth; South, between Tenth and Eleventh; South, between Sixth and Seventh; Bainbridge and Juniper; Bainbridge below Thirteenth, opposite Davis court; Erie and Bainbridge; S. W. cor Twelve foot alley and Bainbridge; Garnet and Jefferson; Rose, between Broad and Thirteenth; Kater and Davis court; in front of 320 Front street; Ovington and Emeline; Annapolis, between South and Bainbridge; Russell, between Bain-

bridge and Fitzwater; Lisle, between Bainbridge and Fitzwater; Fitzwater, opposite Lebanon; Catherine, between Twenty-second and Twenty-third; Fitzwater, between Sixth and Seventh, corner of Spafford; Erie, between Bainbridge and Fitzwater; Florida, between Bainbridge and Fitzwater; Beckwith, between Bainbridge and Fitzwater; Front and Senate; Kater, between Thirteenth and Broad; S. W. corner Charles and Bainbridge; Twenty (20) on Girard avenue, east of Broad street to Frankford avenue; Third and Elbow lane; Church, between Second and Third; Nicholson and Cresson; Penn avenue, between Mulberry alley and Vine; Sixth and Minor; Fifth and Minor; Fourth and Merchant; Ranstead, between Fourth and Fifth; Thirty-third, between Norris and Diamond; Letitia, between Market and Chestnut; Allison place and Richland avenue; opposite No. 10 Augusta place; Mulberry and Neville place; Central place; Brenners avenue below Vine; Cherry, between Sixth and Seventh; Arch, between Fourth and Fifth; Arch, between Fifth and Sixth; Appletree, west of Fourth; four (4) in Penn Treaty Park; Quince and Hunter; Twelfth and Budd; Pine, between Seventeenth and Eighteenth; Pine and Fothergill; Lombard and Fothergill; Ninth and Keble; Lombard, between Tenth and Eleventh; Pine, between Tenth and Eleventh; Quince and Pine; Quince and Lombard; Twelfth and Ohio; Tenth and Rodman; Eleventh and Rodman; Twelfth and Rodman; Thirteenth and Rodman; Thirteenth below Spruce; Thirteenth and Dorsey; Juniper and Lombard; Fifteenth and Burton; Fifteenth and Stone; Lombard, between Fifteenth and Sixteenth; Sixteenth and Burton; north side of Spruce, between Seventh and Eighth; alley in rear of 2100 to 2108 Locust street; Juniper, between Locust and Walnut; Juniper, between Chestnut and Drury; Seventeenth and Walnut; Twentieth and Walnut; Ann, between Eighteenth and Nineteenth; Locust, between Fifteenth and Sixteenth, opposite Vaughn; Locust, between Twenty-first and Twenty-second, opposite Albion; Twentieth and Rittenhouse; Ann, between Seventeenth and Eighteenth; Fifteenth and Walnut; Twenty-second and St. James; Walnut, between Twenty-first and Twenty-second; Sixteenth and Walnut; Walnut and Duponceau; Walnut and Warnock; Sansom and Twentieth; Raspberry alley, between Locust and Spruce; Twelfth and Walnut; Walnut, between Twentieth and Twenty-first; Jayne, between Eighth and Ninth; Twelfth and Cuthbert;

Fifteenth and Market; Twelfth and Clover; Twenty-fourth and Johnson; Tenth and Hunter; Eighth and Filbert; Filbert, west of Twentieth; Cuthbert, west of Twentieth; Eleventh and Hunter; Sixteenth and Cuthbert; Chant and Kelley; Tenth and Kelley; Cobblers alley, between Tenth and Cameronian court; Cobblers alley and Cameronian court; eastern end of Hunter street east of Tenth; Pear and Fairmount avenue; Saunders avenue and Filbert street; Forty-fourth and Market; Forty-third and Powelton; Thirty-fourth and Hamilton; Thirty-sixth and Baring; Cherry, between Seventh and Eighth; Tenth and Cherry; Eighteenth and Cherry; Nineteenth and Cherry; Twentieth and Cherry; Twenty-first and Cherry; Twenty-second and Cherry; Vine street and Leeds avenue; W. Logan square and Vine; Broad, between Arch and Cherry; Broad, between Race and Vine; Academy, between Tenth and Eleventh; Sixteenth below Race, opposite Friends' School; Lambert and Thirteenth; Winslow and Perry; Schell, between Vine and Maple; Eighth and Race; Fifteenth and Summer; Sixteenth and Summer; Seventeenth and Summer; Twenty-second and Summer; Twelfth below Monterey; Tenth, between Morgan and Sergeant; Eleventh, between Morgan and Sergeant; Cherry and Jacoby; in front of No. 723 North Second; Front and Dana; Beach and Fairmount avenue; Rachel and Brown; Sedgley avenue and Fletcher; Brook street, midway between Green and Fairmount avenue; east side of Delaware avenue below Green; west side of Delaware avenue above Noble; Peach and Fairmount avenue; in front of No. 619 North Third; Belmont and Columbia avenue; Margarett street, midway between New Market and Second; St. John street, midway between Brown and Poplar; New Market street, midway between Vine and Callowhill; Beach, midway between Green and Fairmount avenue; Second street, midway between Green and Fairmount avenue; Belmont and Ford; Belmont avenue, between Ford and Conshohocken; Fifth and Mendon place; 509 York avenue; Dillwyn, north of Wood; Dillwyn, north of Callowhill; Dillwyn, north of Noble; Hancock, 250 feet south of Susquehanna avenue; Curran place, south of Fairmount avenue; Chatham, south of Green; Hermitage, north of Green; Hermitage, south of Fairmount avenue; Mintzer, north of Fairmount avenue; Diamond street, between Twenty-third and Twenty-fourth; Charlotte street, south of Poplar; 817 McGrath; School and McGrath; Lawrence street, north of

Brown; 813 Orchard; Poplar, between Sixteenth and Seventeenth; Orchard, south of Kerr; Fifth and Kerr; Maria, west of Fourth; Brown, west of Third; six (6) lights on the north side of Callowhill, between Third and Sixth; York and Sedgley avenue; Broad, north of York; Spring Garden and Sloan; east side of Eighth above Green, in front of church; Ninth and Green; Linden and Green; Wood and Marshall; Wood and Franklin; Vine and Marshall; Callowhill and Garden; Willow and Franklin; Centennial avenue and Oxford; Willow and Rugan; Noble and Garden; Ninth and Fairmount avenue; Gilbert, between Tenth and Kessler; Parrish and Knox; Poplar and Perth; Marshall, between Green and Fairmount avenue; Marshall, between Noble and Buttonwood; Park avenue, between Berks and Norris; Darien and Brown; Kessler, between Parrish and Brown; Seventh, between Parrish and Poplar; west side of Franklin, in front of 854; Franklin, between Noble and Buttonwood; Canton, between Noble and Buttonwood; Vine, between Ninth and Tenth; Ogden, between Ninth and Tenth; Eighth, between Parrish and Poplar; Trenton avenue and Aramingo; Thirty-second and Dauphin; Market, opposite Forty-first; Inquirer and Brown; Tenth and Melon; Tenth and Wister; 1016 Green; Broad below Callowhill, front of 1st Regiment Armory; Twelfth below Melon, in front of Post 2; Thirteenth and Brandywine; Parrish, between Thirteenth and Broad; Millin lane and Norris; Brown, between Thirteenth and Broad; 1022 Parrish, opposite Holland place; Broad and Olive; Olive, between Thirteenth and Broad; Carlton, between Eleventh and Twelfth, under Terminal arch; Wood, between Eleventh and Twelfth, under Terminal arch; Thirteenth and Green; 1120 Ridge avenue; Twenty-second and Huntingdon; Buttonwood, between Twelfth and Thirteenth; Thirteenth and Citron; Wallace, between Eleventh and Twelfth; Twelfth and Ely avenue; Wood, between Thirteenth and Broad; Brandywine, between Thirteenth and Broad; Thirteenth and Carlton; Hamilton, between Twelfth and Thirteenth; Ogden, between Thirteenth and Ontario; Juniper and Berks; Catherine, between Twenty-third and Twenty-fourth; Sixteenth above Columbia avenue; Twenty-sixth and Hare; Twenty-eighth and Parrish; Twenty-fifth and Parrish; Twenty-sixth and Parrish; Eighteenth and Wallace; Nineteenth and Wallace; Fifteenth and Ogden; Perkiomen and Wylie; Twentieth and Brown; south side of Fairmount avenue, west of Sixteenth, opposite church;

Seventeenth and Callowhill; Twenty-seventh and Dauphin; west side, opposite 723 Corinthian avenue; West and Parrish; east side of Twenty-second, opposite Linn; south side of Brown, opposite Twenty-first; Twenty-third and Parrish; Twenty-sixth and Poplar; Nineteenth and Vine; Twenty-second, opposite Hare; Twenty-fourth and Hare; Sixteenth and Brown; Carlisle and Brown; Geary and Vineyard; Parrish, between Fifteenth and Sixteenth; Twenty-fourth and Wood; four (4) Vernon Park; 1124 St. John; Germantown avenue and Laurel; Lawrence, south of George; Leithgow, north of Poplar; Charlotte and George; Third, north of George; 1150 Canal; Fourth, north of George; Galloway, north of George; Front and Richmond; Canal, east of Front; Sophia and Lydia; Hancock and Otter; Hope, between Canal and Otter; Chenango, between Sophia and Hancock; Ellen, between Newmarket and Front; Adrian and Otter; Delaware avenue, north of Poplar; Fourth, south of George; Charlotte and Beaver; Canal, south of Germantown avenue; Third and Thompson; Thompson, opposite Leopard; opposite 1333 Charlotte; Pink and Master; Randolph and Master; Brinton and Master; Lawrence and Thompson; Fifth, between Master and Thompson; Fourth, between Master and Thompson; Master, opposite Philips; opposite 1334 Cadwalader; Hancock, between Master and Thompson; Paletborp, between Master and Thompson; Mascher, between Master and Thompson; Hope, between Master and Thompson; Howard, between Master and Thompson; Front, between Master and Thompson; Hope, between Girard avenue and Thompson; Charlotte, between Girard avenue and Thompson; Lawrence, between Girard avenue and Thompson; Lawrence, between Thompson and Master; Girard avenue and Elm; Norris, two hundred feet west of Richmond; Lehigh avenue, south side, at bridge across Gunners run; Palmer, west side of Memphis; Girard avenue and Eyre; Ash and Richmond; Vienna and Thompson; Hanover and Moyer; Memphis and Deal; Crease and Richmond; Earl and Gerker; Sarah and Wildey; Anthracite and Alamendo; Beach and Susquehanna avenue; Ash and Moyer; Vienna and Gaul; Ash and Wildey; Edgemont and Cumberland; Belgrade and Savery; Montgomery avenue and Tulip; Montgomery avenue and Moyer; Montgomery avenue and Wildey; Belgrade and Eyre; Thompson and Earl; Palmer and Moyer; Fifth and York; Fairhill and York; Howard and York; Mascher and York; Hancock

and York; Franklin and York; Howard and Cumberland; American and Cumberland; Fairhill and Cumberland; Marshall and Cumberland; Franklin and Cumberland; Third and Cumberland; Hancock and Cumberland; Fillmore and Huntingdon; Franklin and Huntingdon; Second and Huntingdon; Hancock and Huntingdon; Hancock and Dauphin; Third and Susquehanna avenue; at the forks, Fifth and Germantown avenue, south side; Leamy and Potter; Third and Columbia avenue; Third and Berks; north side of Columbia avenue, at Palethorp; Mascher and Berks; Frankford avenue and Columbia avenue; Mascher and Montgomery; 623 Walnut; 520 Walnut; Fifth and Walnut; 518 Locust; 411 Landis; Third, opposite Willings alley; Levant and Pear; Third and Walnut; Dock and Walnut; Second and Walnut; Exchange place and Dock; Third and Dock; Petroleum and Walnut; Union, between Second and Third; Union, between Second and Front; Sixth and Carver; Willings alley, between Third and Fourth; 525 Buckley; Seventh and Sansom; Locust, in front of 411; in front of 622 Carver; Gatzmer, between Front and Second; 269 south Fifth; Carter's alley and Exchange place; in front of 618 Barclay; Lisbon and Gillis; Franklin and Montgomery avenue; Warnock and Jefferson; Warnock and Thompson; Marshall and Diamond; Seventh and Berks; Seventh and Thompson; Marshall and Master; Warnock and Montgomery avenue; Seventeenth and Poplar; Seventh and Master; Marshall and Jefferson; Warnock and Oxford; Eleventh and Stiles; Franklin and Jefferson; Franklin and Berks; in front of Tabernacle M. E. church, on west side of Eleventh below Oxford; Park avenue and Oxford; Berks, between Thirtieth and Thirty-first; under railroad bridge, Ninth and Columbia avenue; on railroad bridge, south side, on Columbia avenue; Seventh and Jefferson; Hutchinson and Thompson; Twelfth and Davis; Eleventh, between Columbia and Montgomery avenues; Twelfth and Stiles; Darien and Columbia avenue; Warnock and Master; Sixty-third and Race; Norris and Gant; Green lane and Poplar, opposite Mt. Zion church; Green lane and Mitchell; Shurs lane and Cresson; Ridge avenue, above Martin; Wood and Gates; River road and Washington; Roxborough avenue and Manayunk; Washington and Hermitage; Peach and Media; Penn and Pechin; Shurs lane, under new bridge at Manayunk avenue; Jennette, east of Retta avenue; Baker and Centre; Green lane and

Cresson; Jefferson and Smick; Green lane and Pechin; Jackson and Jefferson; Manayunk avenue, one hundred and fifty feet northwest of Osborne; Fifteenth above Columbia avenue; Manayunk avenue and Adams; Manayunk avenue and Hermit; Manayunk avenue and East; Manayunk avenue, about half way between East street and southeast end of bridge over Shurs lane; Manayunk avenue, northwest end of bridge over Shurs lane; Cresson and Robinson; School lane and Ridge avenue; Ridge avenue and entrance to Gorgas Park; Magnet and Flint; Market, above Forty-second; Germantown avenue, east side, about two hundred feet north of Dauphin; Eighth and Thompson; Germantown avenue and Pastorius; Armat, at crossing of the Germantown branch of P. & R. R.; Wister and Bellfield; Wister, west of bridge crossing Germantown branch of P. & R. R.; Stenton and Chelton avenues; Wayne avenue and Apsley; Wayne avenue and Berkley; Germantown and Willow Grove avenues; Gowen avenue and Devon; Germantown avenue and Gravers lane; Gravers lane and Twenty-fourth street; Rainbow and Blair; Tulpehocken and Chew; Chestnut avenue and Bethlehem pike; Stafford road on Summit, between Morris and Wissahickon avenue; forks of Reading pike and Bethlehem pike; Chestnut avenue and Reading pike; Knox and Rittenhouse; Penn and Main; Penn and Shoemaker; Main, in front of Association Hall; Thirty-third and Berks; Main and Mt. Airy avenue; south side of Penn, opposite Ross; Bellfield avenue, three hundred and fifty feet south of Mill; Seymour and Morris; Twenty-seventh and Highland avenue; Twenty-seventh and Evergreen avenue; Hartwell and Germantown avenue; Evergreen and Main; Belmont avenue between Lankenau and Midvale; Twenty-eighth and Sedgley avenue; Howard and Norris; Horrocks and Fillmore; Arrott and Horrocks; Arrott and railroad bridge below Large; Frankford avenue and Howarth; Franklin and Wakeling; Cedar, half way between Foulkrod and Margareta; Willow and Wakeling; Foulkrod and Willow; Orthodox and Oakland; Margareta, half way between Main and Cedar; Franklin and Dyer; Orchard, below Tacony, opposite Bromley & Burns' mill; Mascher and Davis; Oxford road and Frankford avenue; Frankford avenue, half way between Orthodox and Allen; Edmond and Orthodox; Mulberry and Meadow; Lewis and Ashland; Kensington avenue and Deal, near railroad bridge; Harrison and Cedar; Harrison and Willow;



Twenty-ninth and Sedgley avenue; Harrison and Cherry; Harrison and Mulberry; Harrison and Tackawanna; Harrison and Frankford; Cedar and Margaret; Oxford and Tackawanna; eighteen (18) on Market, east of Broad; Thirty-fifth and Fairmount avenue; Forty-first and Powelton avenue; Forty-third and Mantua avenue; Brooklyn and Wallace; Wyalusing and Mantua avenue; Thirty-fourth and Filbert; Thirty-ninth and Spring Garden; Forty-second and Parrish; Thirty-third and Spring Garden; Thirty-third and Montgomery avenue; Thirty-first and Haverford; Thirty-fifth and Powelton avenue; Thirty-fourth and Race; Thirty-second and Hamilton; Thirty-third and Baring; Forty-first and Brown; southwest side Elm avenue, two hundred and sixty feet southeast of Forty-second; Preston and Ogden; Brooklyn and Westminster avenue; Thirty-third and Norris; Fortieth and Baring; Thirty-fourth and Haverford; Fortieth and Spring Garden; Forty-third and Pennsgrove; Forty-second and Fairmount avenue; Forty-third and Fairmount avenue; Thirty-third and Powelton avenue; Spruce and Quince; Thirty-fourth and Pearl; Preston and Westminster avenue; Diamond, between Twenty-ninth and Thirtieth; Lehigh avenue, east of Memphis, front of St. Ann's church; William and Edgemont; Edgemont and Clearfield; Richmond and Harrison; Ann and Salmon; Birch and Alamendo; Lehigh avenue and Edgemont; Ann and Melvale; Richmond and Division; Richmond and Kirkbride; Thompson and Church; east side Thompson between Ash and Kirkbride; south side of Church street, in front of the church; east side Richmond, opposite Buckius; Kensington and Ontario; Ontario and Jasper; Frankford avenue and Wheatsheaf lane; Frankford avenue and Sterner; Jasper and Clearfield; Somerset and Coral; Allegheny avenue and Cedar; Tioga and Kensington avenue; Frankford avenue and Hull; Allegheny avenue and Thompson; Clearfield and Thompson; Neff and Belgrade; four (4) in Norris Square; Eighteenth and Reed; Eighteenth and Dickinson; Eighteenth and Mifflin; Eighteenth and McKean; Eighteenth and Snyder avenue; Eighteenth and Jackson; Seventeenth and Mifflin; Seventeenth and McKean; Seventeenth and Snyder avenue; Juniper and Wharton; Juniper and Reed; Juniper and Dickinson; Juniper and Tasker; Aman and Dickinson; Tiernan and Wharton; Tiernan and Reed; Tiernan and Dickinson; Tiernan and Tasker; Fifteenth and Snyder; Fifteenth and Jackson;

Eleventh and Lentz; Fifteenth and Castle avenue; Thirty-second and Locust; Thirty-third and Locust; Thirty-third and Sansom; Thirty-eighth and Ludlow; Forty-second and Ludlow; Thirtieth and Chestnut; Thirtieth, between Chestnut and Walnut; Sixty-third and Woodland avenue; Forty-second and Pine; Forty-fifth and Market; south side Woodland, one hundred and twenty feet west of Thirty-ninth; Thirty-eighth and Locust; Forty-seventh and Springfield avenue; Forty-eighth and Springfield avenue; Forty-ninth and Springfield avenue; Forty-ninth and Chester avenue; Fiftieth and Woodland avenue; front of church, Fifty-second and Woodland avenue; Fifty-fourth and Woodland avenue; Fifty-sixth and Woodland avenue; Fifty-eighth and Woodland avenue; Sixtieth and Woodland avenue; Sixty-second and Woodland avenue; Sixty-fourth and Woodland avenue; Fifty-eighth and B. & O. R. R. crossing; Sixty-seventh and Woodland avenue; Seventieth and Woodland avenue; Seventy-first and Woodland avenue; Seventy-second and Woodland avenue; Island road and Woodland avenue; Ridge avenue and Queen lane; Thirty-first and Dauphin; Smedley and Tioga; Fifteenth and Clearfield; Scott's lane and Cresson; Pulaski and Eric avenue; Sixteenth and Westmoreland; Eighteenth and Ontario; Nineteenth and Venango; Ridge avenue and James; Twenty-second and Sedgley avenue; Thirtieth and Dauphin; Twenty-eighth and Fletcher; Nineteenth and York; Twenty-eighth and York; Thirty-fourth and Ridge avenue; Wayne and Juniata; Fifteenth and Butler; Twenty-second and Indiana avenue; Twentieth and York; Twentieth and Dauphin; Woodstock and Dauphin; Smedley and Venango; Twenty-first and Westmoreland; Twenty-second and Allegheny avenue; Twenty-second and Clearfield; Twenty-second and Dauphin; Sixteenth and Cumberland; Twenty-second and Cambria; Fifteenth and Stiles; Centennial avenue and Jefferson; Twenty-ninth and Oxford; Stillman and Jefferson; Twenty-fourth and Jefferson; Thirty-second and Clifford; east side, Twenty-second above Columbia, opposite church; Twenty-third and Master; Sixteenth and Stiles; Grant avenue, above Twenty-fourth; Belmont avenue and Conshohocken; Twenty-fifth and Nicholas; Twenty-sixth and Nicholas; Twenty-fourth and Turner; Twenty-second and Master; Eighteenth above Columbia avenue; Sydenham above Jefferson; Bouvier and Oxford; Willington and Oxford; Sixty-third and Arch; Girard avenue, above

Fifteenth ; Girard avenue and Carlisle ; Girard avenue, above Sixteenth ; Girard avenue and Eighteenth ; Twenty-third and Thompson ; Columbia avenue and Lambert ; Twentieth and Turner ; Twenty-second and Oxford ; Tagert and Dauphin ; Townsend and Memphis ; Belmont and Lankenau ; Bainbridge, above Fifteenth ; Gray's Ferry and Fitzwater ; Stocker and Carpenter ; Martin and Fitzwater ; Montrose, below Fifteenth ; 2430 Carpenter ; Twenty-second and Pemberton ; Twenty-second and St. Albans ; Twenty-third and St. Albans ; Twentieth and Montrose ; Gray's Ferry and Kater ; Diamond, above Twenty-fourth ; Catharine, above Broad ; Webster, above Seventeenth ; Fitzwater, above Broad ; Fitzwater, above Fifteenth ; Fitzwater, above Sixteenth ; Fitzwater, above Seventeenth ; Fitzwater, above Eighteenth ; Fitzwater, above Twentieth ; Fitzwater, above Twenty-first ; Fitzwater, above Twenty-second ; Kater and Lloyd ; Glenwood avenue, above Broad ; Kater, above Twentieth ; Catharine, above Seventeenth ; Catharine, above Fifteenth ; Catharine, above Sixteenth ; Catharine above Eighteenth ; Catharine above Nineteenth ; Catharine above Twentieth ; Market above Forty-third ; Frankford avenue between 1852 and 1854 ; Thirty-first and Berks ; Cumberland and Collins ; Dauphin between Sepviva and Tulip, front of Summerfield Church ; Tulip and Adams ; Tulip and Sergeant ; Tulip and Tucker ; Norris and Belgrade ; Adams and Almond ; Sergeant and Gaul ; Ann and Jasper ; Huntingdon and Jasper ; Twenty-second and Lehigh ; Cumberland and Amber ; Lehigh and Braddock ; Dauphin and Thompson ; Coral and Adams ; Fox and Gaul ; Lehigh and Martha ; Sepviva and Sergeant ; Almond and Sergeant ; Emerald and Sergeant ; Susquehanna between Cedar and Memphis, front of Fifth Reformed Church ; Huntington and Gaul ; Lehigh and Emerald ; Norris and Sepviva ; Taylor and Emerald ; Twenty-first and Turner ; Gordon and Tulip ; Cumberland and Almond ; Cumberland between Cedar and Memphis, front of Beacon Church ; Broad and Columbia ; Twenty-seventh and York ; Opal and Oxford ; twelve (12) on Broad between McKean and Oregon avenue ; Catharine above Twenty-first ; Diamond and Kressler ; Thirtieth and Ridge ; Montgomery and Van Pelt ; Thirtieth and Norris ; Twenty-fourth and Norris ; Twenty-fifth and Norris ; Berks and Ridgway Terrace ; Carlisle above Diamond ; Susquehanna and Über ; Berks and Van Pelt ; Seventeenth and Fontaine ; Kater above Seventeenth ; Diamond and Wood-

stock ; Susquehanna and Woodstock ; Norris and Thirty-first ;  
 Norris and Thirty-second ; Norris and Twenty-ninth ; east  
 side Woodstock, two hundred and twenty-five feet south of  
 Norris ; west side Twentieth, two hundred and thirty-five feet  
 north of Montgomery ; Twenty-fourth and Montgomery ;  
 Eighteenth and Edgely ; Thirty-third above Diamond ; Thirty-  
 second and Ridge ; Sedgley above Diamond ; Twenty-ninth  
 above Diamond ; Thirtieth above Diamond ; Fifteenth between  
 Norris and Diamond ; south side Berks eighty feet east of  
 Twenty-third (Church) ; Berks above Seventeenth ; Berks above  
 Twentieth ; Norris above Twentieth ; eighteen (18) on Lehigh  
 avenue, between Germantown and Kensington avenues ;  
 Broad and Hunting Park avenue ; Broad and Bristol ; Broad  
 and Cayuga ; Sixth and Glenwood avenue ; Rising Sun lane  
 and North Penn R. R. ; Sixth and Tioga ; Mascher and Cam-  
 bria ; " C " and Cambria ; Eighth and Tioga ; Rose Hill and  
 Somerset ; Sixth and Cambria ; York Road and Butler ;  
 Hutchinson and Somerset ; Fifth and Venango ; Tenth and  
 Ontario ; Fifth and Clearfield ; " K " and Venango ; Seventh  
 and Cambria ; Eighth and Cambria ; Ninth and Cambria ;  
 Germantown and Rising Sun lane ; Howard and Somerset ;  
 Boudinot and Somerset ; Sixth and Venango ; Front and  
 Westmoreland ; Third and Glenwood ; Reading R. R. and  
 Ontario ; Ninth and Venango ; Fifty-second and Master ;  
 Fifty-second and Media ; Fifty-third and Media ; Fifty-fourth  
 and Media ; Fifty-sixth and Lansdowne ; Fifty-seventh and  
 Lansdowne ; Fifty-second, three hundred feet south of Hes-  
 ton ; Fifty-second and Elm ; Sixty-fourth and Vine ; Sixty-  
 third and Vine ; Sixty-second and Vine ; Fifty-fourth and  
 Vine ; Fifty-fifth and Vine ; Fifty-sixth and Vine ; Fifty-  
 seventh and Vine ; Forty-ninth and Aspen ; Forty-ninth and  
 Fairmount ; Sixty-third and Hamilton ; Sixty-third and Cal-  
 lowhill ; Forty-fifth and Hoopes ; Forty-sixth and Brown ;  
 Forty-sixth and Parrish ; Sixtieth and Vine ; Fifty-ninth and  
 Vine ; Fifty-second and Heston ; Sixty-first and Vine ; Forty-  
 eighth and Vine ; Washington and Milnor ; Comly and Tor-  
 resdale ; Longshore and Erdrick ; Longshore and Edmund ;  
 Longshore and Penna. R. R. ; Washington and Wissinoming ;  
 Unruh and Wissinoming ; Unruh and Keystone ; Knorr and  
 Jackson ; Delaware, east Penna. R. R. ; Delaware and Church ;  
 Howell and Torresdale ; Howell and Hagerman ; Howell and  
 Tulip ; Howell and State Road ; Fisher's lane and Asylum ;  
 Mills and Holmes ; Delaware and Craig ; Tulip and Magee ;

Vankirk and Hagerman ; Torresdale and Tyson ; Decatur and Craig ; Frankford avenue, centre Pennypack bridge ; St. Vincent and Keystone : St. Vincent and Tulip ; Keystone, two hundred feet north of Washington ; Nineteenth and Morris ; Twentieth and Morris : Twenty-first and Morris ; Nineteenth and Tasker ; Twentieth and Tasker ; Twenty-first and Tasker ; Twenty-first and Ellsworth ; Twenty-second and Ellsworth ; Twenty-third and Ellsworth ; Twenty-fourth and Ellsworth ; Twenty-fifth and Ellsworth ; Twenty-sixth and Ellsworth ; Twenty-seventh and Ellsworth ; Passyunk and Twenty-ninth ; Passyunk and River Bank road ; River Bank road, four hundred feet north of Passyunk ; River Bank road, four hundred feet south of Passyunk ; River Bank road, eight hundred feet south of Passyunk ; Thirty-first and Wharton ; Thirty-second and Wharton ; Thirty-fourth and Wharton ; Twenty-first and Moore : Twenty-second and Oakford ; Twenty-sixth and Oakford : Twenty-first and Wharton ; Twenty-second and Wharton ; Marshall and Germantown ; Franklin and Dauphin ; Ninth and Dauphin : Ninth and York ; Ninth and Germantown : Delhi and Dauphin ; Park and Rising Sun lane : Ninth and Arizona ; Tenth and Dauphin : Tenth and Cumberland ; Eleventh and Cumberland : Eleventh and Indiana ; Eleventh and Glenwood : Twelfth and Cumberland ; Twelfth and York ; Twelfth and Allegheny avenue : Thirteenth and Allegheny ; Germantown and Allegheny : Mervine and Summerville ; Park and Somerset : Eighth and Germantown ; Tenth and Dakota : Lehigh, between Germantown and Eleventh ; Lehigh above Eleventh ; Lehigh above Twelfth ; Tenth and Germantown ; Thirteenth and York : Ninth and Dakota : Ralston above Twenty-second : Fourth, north of Poplar : between 1811 and 1813 Vine : Twenty-fourth, one hundred and fifty feet north of Wood ; Twenty-eighth and Poplar : Preston and Aspen : Main below Washington ; Twenty-seventh and Parrish : Eighteenth and Addison : Eighteenth and Naudain : Twenty-eighth and Jefferson ; Eleventh, between Berks and Norris : Penn and Adams ; Baker and Gay ; Main and Division : Girard avenue and Darien ; north side of Allegheny avenue, three hundred feet west of Frankford avenue, in front of church ; Kensington avenue and Old Front street road : Dickinson and Tulip : Cedar and Townsend : Longshore, three hundred feet west of Jackson ; north side of " G " at Kensington avenue ; south side Allegheny avenue at " G " : Lawrence and Cumberland ; Lawrence and York ; Forty-seventh

and Kingsessing avenue; Sixty-fifth and Woodland avenue; Sixty-eighth and Woodland avenue; Bainbridge, between Third and Fourth; South, between Fourth and Fifth; South, between Fifth and Sixth; Germantown avenue, north of Jefferson; Twenty-third and Brandywine; east side Darien, between Oxford and Jefferson; East Second and McKean; Tenth and Moore.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To condemn ground in the Fifteenth Ward for High School purposes.

WHEREAS, The Board of Public Education and the owners of the lot of ground bounded by Broad, Green, Fifteenth and Brandywine streets, with a frontage on Broad and Fifteenth streets of one hundred and eighty-six (186) feet five (5) inches, and on Brandywine and Green streets of three hundred and ninety-five (395) feet eight (8) inches, in the Fifteenth Ward, selected by the Board of Public Education for school purposes, have failed to agree upon a price to be paid for the same, said ground being the property now or late of Lewis Wistar, Fannie W. Scott, Joseph Berens, M. D., and George Barrie, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the said lot herein above described be taken, and is condemned by the City of Philadelphia for school purposes, under the provisions of the Act of Assembly for that case made and provided, and the Board of Public Education is hereby directed to enter upon and occupy said ground: *Provided*, That the Mayor be, and is hereby, authorized and directed to file a good and sufficient bond indemnifying the property owners for ground taken and condemned as above described. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To appropriate the sum of five thousand (5,000) dollars to Item 17 $\frac{1}{2}$  in the annual appropriation to the Department of Public Safety, Electrical Bureau, for the year 1894, for the erection and maintenance of electric lights in the Twenty-eighth and Thirty-second Wards.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of five thousand (5,000) dollars be, and the same is hereby appropriated to new Item 17 $\frac{1}{2}$  in the annual appropriation to the Department of Public Safety, Electrical Bureau, for the year 1894, for the erection and maintenance of electric lights in that portion of the Thirty-second Ward lying west of Ridge avenue, and between Montgomery avenue and Susquehanna avenue; and in the Twenty-eighth Ward, north on Ridge avenue, between Susquehanna avenue and Nicetown lane; also Twenty-second street between Montgomery avenue and Nicetown lane.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the location and erection of electric arc lights on Walnut street bridge, and to pay for the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety (through the Electrical Bureau) be, and is hereby authorized and directed to locate and erect twenty-one (21) electric arc lights on Walnut street bridge. The cost of lighting the same shall be paid out of Item 16, in the annual appropriation to the Electrical Bureau for the year 1894.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance to condemn for school purposes property on Mather street in the Twenty-eighth Ward, approved June 27th, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to condemn for school purposes property on Mather street, Twenty-eighth Ward," approved June 27th, 1893, be altered and amended as follows: By striking out of the preamble the words and figures "situate Nos. 3425, 3427, 3429, 3431 and 3433 Mather street," and insert in lieu thereof the following: "on the east side of Mather street commencing at a distance of two hundred (200) feet south of Tioga street and extending along Mather street one hundred (100) feet, with a depth of seventy-two (72) feet ten (10) inches, including a three (3) feet wide alley extending into Mather street, together with improvements erected on said property, viz: five brick dwellings or tenements."

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To permit the laying of water pipe by the Oak Lane Water Company in a portion of the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Oak Lane Water Company be, and is hereby permitted to lay water pipe in any of the public highways in that portion of the Twenty-second Ward described and bounded as follows: By the county line, the Old York road, Second street and Green lane upon the following conditions, viz: First: That all work done by permission of this ordinance shall be done under the direction and with the approval of the Department of Public Works. Second: That said Water Company will erect, maintain, and supply water without charge to the City all fire hydrants that may be required by the said department. Third: To furnish without charge any and all water required for City purposes,



for schools, for police and fire stations, except water that may be required by the House of Correction or the City Prison, Almshouse or Municipal Hospital, or other institutions of a like character located in said ward, and if any water be paid for by the City of Philadelphia it shall be by meter measure at the price charged consumers by the city. Fourth: That the City shall have the privilege of taking possession of any or all of the pipes, stop cocks, and fire hydrants laid under the provisions of this ordinance or that have heretofore been laid without the authority of the City by the said company, at a price to be ascertained by three (3) arbitrators, one to be chosen by the City, one by said company, and the third to be chosen by the two arbitrators so selected. In case the City should purchase any of said pipes the right is hereby reserved by the City to charge the owners of property fronting on said streets the usual frontage charges for said pipe the same as in other sections of said City. Fifth: That before any work shall be done under the provisions of this ordinance the said company shall file with the City Solicitor an acceptance thereof, and also a bond in the sum of five thousand (5000) dollars to secure satisfactory compliance with the provisions of this ordinance and to protect the City from any damages done to persons or property by reason of the operations of this company.

SECT. 2. That nothing contained in this ordinance shall be construed to prevent the granting of similar privileges to other companies or to prevent the laying of water pipe by the said City in accordance with existing laws and with the right to collect the usual frontage charges.

SECT. 3. That the privileges hereby granted can be revoked at any time by the passage of an ordinance to that effect without creating any claims in law or equity for damages arising from such revocation. The said water company shall change and relay water pipes and readjust connections at its own expense, should the same become necessary by reason of any and all revision of grades by the City.

SECT. 4. That a copy of this ordinance shall be printed on the backs of all bills for water rent issued by said company. And that the sum of fifty (50) dollars be first paid into the City Treasury by said company for advertising the ordinance.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

## AN ORDINANCE

To authorize the construction of a siding by the Kensington and Tacony Railroad Company on their Frankford Creek branch.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Kensington and Tacony Railroad Company to construct a siding on their Frankford Creek branch, beginning at a point near Pearce street in the Twenty-third Ward, and crossing Orthodox street at the intersection with Pearce street; extending over their own property to the south side of Bermuda street; thence along Bermuda street and over their right of way to and across Frankford street into the property of the Mason Fruit Jar Company, for the purpose of giving railroad facilities to warehouses and manufactories located along said siding.

Said Kensington and Tacony Railroad Company shall remove said siding upon the passage of an ordinance by Councils to that effect, and shall pay into the City Treasury the sum of fifty dollars for the printing of this ordinance.

Approved the twenty-seventh day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the sale of certain election booths and contents.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Safety (Bureau of City Property) be authorized to offer at public sale as many of the election booths and contents as the City Commissioners may, in their judgment, decide as being of no further use to the City for election purposes.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the laying of gas pipe on certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized and directed to lay gas pipe on the following streets, viz: McKean street, from Sixth to Seventh street; Dean street, from Jackson street to Snyder avenue, in the First Ward. Darien street, between Montgomery avenue and Columbia avenue, in the Twentieth Ward. Fleeson street, from Tibbin street west two hundred (200) feet, in the Twenty-first Ward. Locust avenue, from Chew street to Sprague avenue; West Cheltenham avenue, from Germantown avenue to Wissahickon avenue; East Cheltenham avenue, from Germantown avenue to Stenton avenue; Loudon street, from Germantown avenue to Green street; McCallum street, from Lincoln avenue to Carpenter street, in the Twenty-second Ward. Mulberry street, from New to Harrison street; Torresdale avenue, from Bridge to Deveraux street; Frankford street, from Jackson to Melrose street, in the Twenty-third Ward. Forty-third and a half street, from Brown to Parrish street, in the Twenty-fourth Ward. Arcadia street, from Westmoreland to Ontario street, in the Twenty-fifth Ward. Dean street and Pallas street, from Tasker to Dickinson street, in the Twenty-sixth Ward. Sixty-third street, from Woodland avenue to P. W. & B. R. R.; Fifty-eighth street, from Woodland avenue to Elmwood avenue; Elmwood avenue, from Fifty-eighth to Sixty-seventh street, in the Twenty-seventh Ward. Pulaski avenue, from Seventeenth street to Hunting Park avenue; Hunting Park avenue, from Germantown avenue to the Germantown & Norristown R. R.; Sixteenth street, from Erie avenue to Pike street; Butler street, from Sixteenth to Seventeenth street, in the Twenty-eighth Ward. Nicholas street and Turner street, between Twenty-eighth and Twenty-ninth streets, in the Twenty-ninth Ward. Thirty second-and-three-quarters street, from Berks to Norris street; Euclid avenue, from Thirtieth to Thirty-first street, in the Thirty-second Ward. Ontario street, from Front to A street; Tioga street, from Front to B street; Hope street, from Westminster to Tioga street; Allegheny avenue, from Kensington avenue to E street; Straub street, from Sixteenth street to Germantown

avenue; Lawrence street, from Erie avenue to Sedgley avenue, in the Thirty-third Ward. Lex street, from Aspen to Parrish street: Kershaw avenue, north side, between Lancaster avenue and Fiftieth street, in the Thirty-fourth Ward. Dorrance street, from Morris to Moore street; Twenty-second street, from Tasker to Cross street: Twenty-second street, from Point Breeze avenue to Moore street; Opal street, from Dickinson to Tasker street; Moore street, from Twenty-first street to Point Breeze avenue, in the Thirty-sixth Ward. Thirteenth street, from Rising Sun lane to Ontario street; Park avenue, from Sedgley avenue to Clearfield street; Park avenue, from Rising Sun lane to Tioga street; Ontario street, from Broad street to Germantown avenue: Rush street and Sedgley avenue, from Broad street to Park avenue; Twelfth street, from Cambria street to Glenwood avenue; Thirty-fifth street, from Indian Queen lane to Crawford street, and Eleventh street, from Arizona to Dakota street, in the Thirty-seventh Ward: *Provided*, That said streets shall be first dedicated or properly opened.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting Calvin S. Crowell & Co. permission to lay an iron pipe under and across North Delaware avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to Calvin S. Crowell & Co. to lay an iron pipe four (4) inches in diameter from their place of business, 124 North Delaware avenue, under and across said North Delaware avenue to their dock for the purpose of discharging steam, hot and cold water. The said work shall be done under the direction and with the approval of the Director of the Department of Public Works: *Provided*, That they shall be responsible for any damages that may arise by reason of the laying of said pipe: *Provided further*, That the said Calvin S. Crowell & Co. shall first pay into the City Treasury the sum of fifty (50) dollars for the publication of this ordinance: *Provided also*, That before

exercising any of the privileges under this ordinance the said Crowell & Co. shall first enter into an agreement to replace any portions of the pavement disturbed, and to keep the same in good repair for one year after the completion of the said work.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting to the Manayunk and Roxborough Inclined Plane and Railway Company permission to use electric motors to be supplied from overhead wires and to erect and maintain poles to support said wires.

SECTION. 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Manayunk and Roxborough Inclined Plane and Railway Company to use electric motors as the propelling power of its cars on its tracks as the same are authorized to be laid under its charter on the following named streets: beginning at the intersection of Ridge avenue and the old Norristown Railroad, now the Philadelphia and Reading Railroad, at Wissahickon Station, and thence along Ridge avenue to the County line. Said motors to be supplied from overhead wires, supported by iron poles not less than twenty feet high, which said company is authorized to erect and maintain, and to be placed opposite each other within the curb line and connected with street wires, or at the option of the company to be erected in the middle of the streets with a double bracket thereon, suspending the overhead construction. Permission is also granted to the said company to erect and maintain an overhead feed wire supported on poles not less than twenty feet high, which poles shall be placed within the curb line: said feed wire may be placed on Parker avenue from Ridge avenue to the Canal, or on such other street or avenue, from Ridge avenue to the Schuylkill river, as the said company may select, with the approval of the Department of Public Works and the Department of Public Safety. In the construction and operation of the system of wires and poles

herein authorized, the same shall be so constructed and operated as not to interfere with the construction and operation of any elevated railroad heretofore or which may hereafter be authorized by ordinance on any of the streets or avenues herein named. The erection and construction of the poles and trolley system shall be under the supervision of the Departments of Public Works and Public Safety.

SECT. 2. Before any permits shall be issued to proceed with the work of constructing the trolley system authorized by this ordinance, the said company shall enter into an agreement with the Mayor (who is hereby authorized to execute the same on behalf of the City) which agreement shall be in form approved by the City Solicitor, and shall among other things provide that the said company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, pavements on all streets, avenues or roads traversed by its lines of railway or its trolley system. That the said company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force or which may hereafter be passed relating to the government, control or regulation of railways or railroads of any kind within the city; that in construction and equipment of its trolley system all kinds and character of materials, supplies, or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. Said company shall take down and remove the overhead trolley system and substitute therefor an underground or storage battery system whenever directed to do so by ordinance of Council. The regular fare to be charged for a single continuous ride over the entire line shall not exceed five cents per passenger. The work upon the said trolley system shall be begun within four months and completed and in operation over the entire route herein named within one year from the passage of this ordinance, and in case work is not begun in good faith within said four months, and pushed to completion within one year, this ordinance shall be null and void; and the said company shall furnish and execute a bond in the form approved by the City Solicitor and with security approved by the Mayor in a sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance, and the agreement or contract herein authorized, which bond is forfeited to

the City and the money paid into the City treasury if said company shall default in its agreement. The sum of fifty dollars to be first paid into the City treasury by the said company to pay for the printing of this ordinance.

SECT. 3. That the said company shall, under the supervision of the Department of Public Works, repave in good, substantial and workmanlike manner, with Belgian blocks or their improved pavement, as directed by ordinance of Councils, or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said department, all streets to be occupied by it not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said department: said repaving to be done from curb to curb for such length of streets as shall be occupied by poles and trolley wires, or by other electric motive-power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the road-bed, or of the poles or trolley wires, or other electric motive-power system, shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said street, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive-power company constructed therein: and that said company shall at all times hereafter keep the said paving in good repair, when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid, shall not free the said company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils that has been passed, or that may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly, and that fifty (50) dollars shall be paid into the City treasury by said company for printing this ordinance.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the opening of Harrowgate Park in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That, having failed to agree as to price with the owners of so much of the ground within the boundaries of Harrowgate Park, in the Twenty-fifth Ward, as is described as follows, viz: Beginning at the south corner of Kensington avenue and Tioga street; thence extending along the southwest side of Tioga street southeastward to the northwest side of Jasper street; thence along the same southwestward to the northeast side of Kettlewell street; thence along the same northwestward to the southeast side of Kensington avenue; thence along the same northeastward one hundred and fifty-two (152) feet two and three-eighths ( $2\frac{3}{8}$ ) inches to a point; thence at right angles to Kensington avenue southeastward seventy-five (75) feet to a point; thence parallel with Kensington avenue northeastward eighteen (18) feet to a point; thence at right angles to Kensington avenue northwestward twenty-five (25) feet to a point; thence parallel with Kensington avenue northeastward seventy-two (72) feet six (6) inches to a point; thence at right angles to Kensington avenue southeastward twenty-five (25) feet to a point; thence parallel with Kensington avenue northeastward fourteen (14) feet six (6) inches to a point; thence at right angles to Kensington avenue northwestward twenty-five (25) feet to a point; thence parallel with Kensington avenue northeastward fifty-eight (58) feet to a point; thence at right angles to Kensington avenue northwestward fifty (50) feet to the southeast side of Kensington avenue; thence along the same northeastward eighteen (18) feet to the southwest side of Tioga street, the place of beginning; they hereby appropriate said ground as an open public place or park for the health and enjoyment of the people, and the City Solicitor is hereby authorized and directed forthwith to notify the owners of said ground that at the expiration of three months from the date of said notice said ground will be required for public use.

SECT. 2. At the expiration of said three months the Mayor is hereby authorized and directed to enter security in the name of the City for the payment of any damages that may



be awarded by reason of the taking of said ground, and thereupon possession of the same shall be taken for public use, and the City Solicitor shall begin and conduct the proper proceedings in the Court of Quarter Sessions for the assessment of damages for said taking.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To regulate and determine the license fee for permits in the Bureau of Building Inspection, Department of Public Safety, as required by Section 41 of the Act of Assembly, approved June 8, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That where any person or persons shall be desirous of erecting, constructing or altering any house or building, such person or persons shall make application at the office of the Bureau of Building Inspection for a permit for that purpose, and shall pay for such permit the various sums as follows :

For the inspection of each or any building not exceeding 30 feet in height and 18 feet in width, and not exceeding a superficial area of 1,600 square feet, the fee shall be three (3) dollars.

For the inspection of each or any building over 18 feet in width, not exceeding thirty (30) feet in height, and not exceeding in superficial area 2,000 square feet, the fee shall be five (5) dollars, and the further sum of one (1) dollar in addition for each story above 30 feet in height, and a like sum, one (1) dollar, for each additional 1,000 square feet of ground covered by such house or building.

For the inspection of heating apparatus and flues in all buildings in which the same has not been heretofore introduced the fee shall be one (1) dollar.

For the inspection of buildings for which application is made for repair or alteration, the fee shall be two (2) dollars.

For the inspection of buildings where application is made to tear down, and no application is made for a permit to erect a new building upon the same ground, the fee shall be two (2) dollars.

For the inspection and examination of any building or buildings already erected, upon complaint in due form as to being dangerous, said building or buildings not exceeding four (4) stories in height, the fee for each building shall be ten (10) dollars, and for each additional story, an additional sum of one (1) dollar. The fee shall be deposited with the Chief of the Bureau, but shall not be retained after the inspection and examination is made unless the inspector making the examination shall certify to the Chief that in his judgment the complaint was groundless or malicious.

For fence views the fee shall be three (3) dollars, fixed by Act of Assembly, approved May 6, 1870.

For the inspection of frame shed and overhanging bath to dwelling houses already erected, the fee for each shall be one (1) dollar.

For the inspection of a bay or oriel window, the fee shall be two (2) dollars.

For the inspection of open shelter sheds when not exceeding a superficial area of five hundred (500) feet the fee shall be one (1) dollar, and for each additional five hundred (500) feet or part thereof the fee shall be fifty (50) cents.

For the inspection of boiler and engine foundations in buildings in which the same has not been heretofore introduced, and in any new building in which the application for the permit for the erection of the said building does not include the introduction of a boiler or engine, the fee for the same shall be two (2) dollars.

SECT. 2. All ordinances or parts of ordinances inconsistent herewith be, and the same are, hereby repealed.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To set apart a plot of ground in the Thirty-third Ward for park purposes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the plot of ground in the Thirty-third Ward, bounded by Fifth street, Westmoreland street, the property now owned by the North Penn Railroad Co., and Allegheny avenue, be, and is hereby set apart as a public square or park, to be known as Westmoreland Square.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To regulate the construction of frame buildings, fences and bay windows.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the the limits within which all buildings hereafter erected or altered shall be required to conform to the Act of Assembly of May 7, 1855, and of the Acts in amendment thereof and in addition thereto, and of the Act of June 8, 1893, are hereby established and defined as follows :

All that portion of the city which is included on or within that portion of the First Ward bounded on the south by Oregon avenue, from the Delaware river to Seventh street, thence along Seventh street to the Back Channel, League Island; all that portion of the city which is included within the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, and Twentieth Wards; and all that portion of the Twenty-first Ward on or within the following boundary lines, viz: Beginning at Port Royal avenue and Schuylkill river, thence along Port Royal avenue to Ridge avenue, thence along Ridge avenue to Rox-

borough avenue, thence along Roxborough avenue to Houghton street, thence along Houghton street to Hermit street, thence along Hermit street to Wissahickon creek, thence along Wissahickon creek to Schuylkill river, thence along Schuylkill river to place of beginning; all that portion of the Twenty-second Ward on and west of Broad street; all of the Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth Wards; all that portion of the Twenty-seventh Ward on or within the following lines: Beginning at Schuylkill river and Market street, thence along Market street to Cobb's creek, thence along Cobb's creek to Woodland avenue, thence along Woodland avenue to Tinicum Island road, thence along Tinicum Island road to Power's lane, thence along Power's lane to Eastwick street, thence along Eastwick street to the Baltimore and Ohio R. R.; thence along the Baltimore and Ohio R. R. to Schuylkill river, thence along the Schuylkill river to the place of beginning; all of the Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth Wards, and that portion of the Thirty-fifth Ward on or within the boundaries or lines between Dark Run lane and Bleigh street and between Frankford avenue and the Delaware river, and on the said line of Frankford avenue to Pennypack creek, and within that portion bounded by the Pennypack creek, the New York Division of the Pennsylvania Railroad, Decatur street and Frankford avenue, and all of the Thirty-sixth and Thirty-seventh Wards.

*Provided:* That, on land assessed at farm rates and used for farm purposes, frame buildings for farm purposes only shall be erected.

*Provided:* That the prohibition against the erection of frame buildings shall apply to both sides of the streets named as boundaries.

*Provided, however:* That in the First, Twenty-first, Twenty-second, Twenty-third, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Thirty-third, Thirty-fourth, Thirty-fifth and Thirty-sixth Wards, temporary frame buildings for church worship may be erected, subject to the following conditions:

*First.* No such frame buildings shall be more than one story high, if built in any portion of the aforesaid wards within the limits defined in Section 1.

*Second.* No permit shall be granted for such building unless the applicant shall have the consent in writing of at least two-thirds of the adjoining or abutting property owners; and the owners of properties on the opposite side of the street to the lot desired to be built on shall, to the width of the said lot, be deemed adjoining owners.

*Third.* No permit shall be granted for any such building until the party desiring the permit shall file with the City Solicitor a bond in the sum of five hundred (500) dollars, conditioned that the said building shall be used only for purposes of church worship, and that it will be removed when it ceases to be used for church worship, or whenever Councils shall amend this ordinance so as to prohibit frame church buildings in the territory within which the building is situate, or on the passage of a resolution by Councils requiring its removal.

SECT. 2. Within the limits defined in Section 1, it shall not be lawful to enlarge a frame building, or to remove any such building, except on the same lot or an adjoining lot belonging to the same owner. It shall not be lawful to repair, reconstruct or remove any frame building which has been injured more than fifty (50) per cent. of its original value by wear and tear or by the effects of the elements, or by fire; said value to be determined by the Bureau of Building Inspection.

SECT. 3. Within the limits defined in Section 1, it shall be lawful to erect on wharves frame sheds not exceeding twenty-seven (27) feet in height, and elevators for the storage of grain, or sheds of wood for the storage of coal or lumber, but all the external parts of such sheds and elevators (except sheds for the storage of lumber) shall be covered with slate, tile, metal or other incombustible material, and their mode of construction and location shall be subject to the approval of the Bureau of Building Inspection.

SECT. 4. Within the limits defined in Section 1, it shall not be lawful to erect or construct upon the first story of any building any bay, oriel, store or bulk window, projecting beyond the street line.

SECT. 5. Bay and oriel windows may hereafter be constructed upon buildings, where projecting over the street line, as follows: The walls of all such bay or oriel windows, if

made of combustible materials, shall be covered with metal or other incombustible materials. The limitation of the dimensions and position of such bay and oriel windows shall be as follows :

*First.* No such bay or oriel window shall be at a less distance than ten (10) feet from the sidewalk.

*Second.* No such bay or oriel window shall project more than three (3) feet over the street line of any building.

*Third.* No such bay or oriel window shall have a greater frontage than fifteen (15) feet.

*Fourth.* There shall not be more than one bay or oriel window for any twenty-five (25) feet of frontage, and no two bay or oriel windows upon the same story shall be built nearer to each other than five (5) feet.

*Fifth.* It shall not be lawful to erect any bay or oriel window except within lines drawn from the intersection of the party lines and the street line at an angle of twenty degrees with the latter.

Nothing herein contained shall, however, limit the size of bay or oriel windows which are built in such a manner as not to project over the street line of the buildings of which they form a part, but the size, number, construction and structural parts of such bay or oriel windows shall be subject to the approval of the Bureau of Building Inspection: *Provided, however,* That no bay or oriel window shall project more than four (4) feet from the wall line of the house of which it is a part.

SECT. 6. It shall not be lawful to build any fence of wood dividing or enclosing any property, of a greater height than ten (10) feet from the ground, nor any fence beyond the building line: *Provided, however,* That railings may be constructed around excavated areas now existing. This section shall not prohibit the erection of a temporary fence during building operations, but no such fence shall be erected more than five (5) feet from the building line.

SECT. 7. Outside the limits defined in Section 1, wooden buildings may be erected subject to the following restrictions and regulations: A wooden building to be used as a dwelling house shall not exceed a height of forty-five (45) feet, and external walls of said building shall not be placed at a less distance than eighteen (18) inches from the party line of the

lot upon which the building is to be erected, unless a brick external wall is substituted for the wooden wall, and of a thickness described by the Act of Assembly approved June 8, 1893, regulating the thickness of brick external walls.

Where a wooden building is already erected for dwelling purposes upon an adjoining lot, there shall be between the walls of the building erected and the one to be erected—if of wood—a clear open space of three (3) feet between the said buildings.

In the erection of wooden buildings in blocks of two or more houses, to be occupied for dwelling purposes, the said buildings shall have intercepting brick walls not less than nine (9) inches thick, said walls to be carried up and topped out ten (10) inches above the roof and covered with metallic covering.

Wooden buildings to be used for other purposes than that of a dwelling-house, shall not exceed fifty (50) feet in height above the grade of the street or place upon which the said building is to be erected, and shall not be placed at a less distance than ten (10) feet from any other wooden building which is twenty-five (25) feet or more in height, or at a less distance than four (4) feet from any other wooden building which is less than twenty-five (25) feet in height.

SECT. 8. All wooden buildings shall be built upon secure foundations of stone or brick, carried up to the surface of the ground. The foundations, if of brick, shall not be less than thirteen (13) inches thick, and, if of stone, shall not be less than sixteen (16) inches thick. All foundations shall be laid upon solid ground, or upon piling, or other solid substructure. In the construction of workshops or other buildings of a like character, or for temporary purposes, built upon soft or marshy land, the inspector may, in his discretion, permit the sills to be placed upon mud-sills or blocking, or upon piles cut to the height of grade.

All wooden buildings shall be constructed to carry such safe weights per superficial foot for the several purposes for which they are constructed as is defined in Section Twenty-six (26) of the Act of Assembly, approved June 8, 1893.

SECT. 9. In all wooden buildings hereafter erected or altered the framing around flues, and the construction of chimneys, flues, hearths, trimmer arches, open fireplaces, and hot-air flues and heating apparatus, steam boilers and ranges, shall be in accordance with the Act of Assembly approved June 8, 1893.

SECT. 10. Open shelter sheds of wood may be erected under permit, but no such shed shall be enclosed with combustible materials on any of its four sides. The location and construction of said sheds shall be subject to the inspection and approval of the Bureau of Building Inspection.

SECT. 11. All constructions, extensions, or repairs under the provisions of the said Act of Assembly, approved June 8, 1893, or under the provisions of this ordinance, shall be done only after permit is granted by the Bureau of Building Inspection and in conformity with the permit; and any person or persons building, altering, or repairing without such permit first secured, or otherwise than in conformity with the said permit, or the said act, or this ordinance, shall be subject to the several penalties imposed by the said act for violations of its provisions.

SECT. 12. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the Director of the Department of Public Safety to offer at public sale the property on Filbert street between Fifteenth and Sixteenth streets, now occupied as the Twentieth District Police Station.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety be, and he is hereby authorized and directed to offer at public sale all that certain lot or piece of ground on the north side of Filbert street between Fifteenth and Sixteenth streets, now occupied as the Twentieth District Police Station, and that the proceeds derived from said sale are hereby appropriated to Item 40, Bureau of City Property, for the erection of new station for said police district, in the annual appropriation for the year 1894.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize the laying of gas pipe in certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized and directed to lay gas pipe on the following streets, viz: Brinton street, from Master to Oxford street, in the Seventeenth Ward: Sprague street and Sullivan street, from Chelton avenue to Stenton avenue; Pleasant street, from Main street to Musgrove street; Sprague street, from Main street to Nash street, and Cresheim road, from Mt. Pleasant to Carpenter street, in the Twenty-second Ward; Baltimore avenue, from Forty-third to Fifty-second street, in the Twenty-seventh Ward: Wayne street and Clarissa street, from Juniata to Bristol street; Juniata street, from Wayne to Clarissa street, and Butler street, from Germantown avenue to Fifteenth street, in the Twenty-eighth Ward; west side of Belgrade street, between E. Dauphin and York streets; west side of E. Thompson street, between Dauphin and York streets; and west side of Thompson street from York to E. Dauphin street, in the Thirty-first Ward: Euclid avenue and Wilt street, from Thirty-first to Thirty-second street, and Thirty-two-and-a-half street, from Berks to Norris street, in the Thirty-second Ward; Rohrer street, from Indiana to Clearfield street; Indiana street, from "E" to Rohrer street; Gurney street, from Leamy street to Lehigh avenue, and Leamy street from Gurney street to Lehigh avenue, in the Thirty-third Ward; Fifty-third street, from Girard avenue to Wyalusing street; Suplee street, from Fifty-third to Fifty-fourth street, and Fifty-sixth street, from Vine street to Haverford avenue, in the Thirty-fourth Ward; Wharton street, from B. & O. R. R. to Schuylkill avenue, in the Thirty-sixth Ward: *Provided*, That said streets shall be first dedicated or properly opened.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To regulate the use of hotel coaches or wagons, cabs, coupes, hacks, hansoms or carriages, licensed as common carriers of passengers.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That it shall be unlawful and a public nuisance for the driver or owner of any hotel coach or wagon, cab, coupe, hack, hansom or carriage licensed as a common carrier of passengers by the authorities of the City of Philadelphia, to stand in front with (excepting when taking on or letting off a passenger or passengers), or drive such public licensed cab, coupe, hack, hansom or carriage back and forth in front of any Public Building belonging to the City or railroad station, to the discomfort, inconvenience or detriment of the uses of such public building or station, unless authorized to do so by the Mayor of the City of Philadelphia, which shall be evidenced by a certificate duly issued by him.

SECT. 2. Any firm or individual, either by themselves or employes, violating the provisions of the first section of this ordinance shall be subject to arrest upon a proper warrant, and if found guilty of the offense as in hereinbefore provided shall be subject to a fine of ten (10) dollars, to be collected as like penalties are by law recoverable.

Approved the twenty-eighth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To revise the grade on the south side of Girard avenue, from Eighth to Hutchinson streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized to revise the grade on the south side of Girard avenue, from Eighth to Hutchinson streets.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to Item 4½ in the annual appropriation to the Commissioners of Fairmount Park, to pay James Bradley for extra labor and materials furnished for general repairs to Lansdowne bridge in West Fairmount Park in the spring of 1891.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of eleven hundred (1100) dollars be, and the same is hereby appropriated to new item 4½ in the annual appropriation to the Commissioners of Fairmount Park, for the purpose of paying James Bradley for extra labor and materials furnished for general repairs to Lansdowne bridge in West Fairmount Park in the spring of 1891: *Provided*, The said James Bradley accept the said sum of eleven hundred dollars in full payment.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To permit David France to lay a railroad siding across Tasker street, east of Ash street, First Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby given to David France to lay a railroad siding across Tasker street, east of Ash street, in the First Ward, under the supervision of the Department of Public Works: *Provided*, Said siding shall be removed at any time without notice on the passage of a resolution or ordinance to that effect: *Provided also*, That the sum of fifty (50) dollars shall be first paid into the City Treasury for the publication of this ordinance.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize the Bergner and Engel Brewing Company to lay a railroad track or siding on Thirty-third street between Thompson and Master streets.

SECTION 1. *The Select and Com · on Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to the Bergner and Engel Brewing Company to lay and maintain a railroad track or siding on Thirty-third street between Thompson and Master streets; the track or siding to be laid at a distance of fourteen feet from the building line, and shall be removed at any time that Councils may by ordinance or resolution so direct. Before a permit is granted for the laying of said track or siding fifty (50) dollars shall be paid by said Company into the City Treasury for the printing of this ordinance.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To place on the City plan Bowers, Thouron, Melcher, Coulston, Manikin, Percy, Sisty, Delancy, Forty-one-and-a-half and Henrietta streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Bowers street, twenty feet wide, from Perkiomen street northeast to dead end; Thouron street, thirty feet wide, from Diamond street to Susquehanna avenue; Melcher street, thirty feet wide, from Coulston street to Susquehanna avenue; Manakin street, forty feet wide, from Norris street southward about one hundred and thirty feet four inches, thence further southward about two hundred and twenty feet, of the width of twenty-five feet; Percy street, twenty feet wide, from Thompson street southward to property of the Girard Avenue Market Company; Sisty street, twenty-five feet wide, from Montgomery street to

Tenth street; Delaney street, twenty feet wide, from Forty-second street eastward about one hundred and fifty feet; Forty-one-and-a-half street, eighteen feet wide, from Chester avenue to a point about three hundred feet northward; Henrietta street, fourteen and twenty-five feet wide, from North College avenue to Twenty-first street: *Provided*, That before any of said streets shall be placed on the City plan, satisfactory evidence shall be furnished that the street has been laid out and opened prior to June 6, 1871, in accordance with Act approved May 23, 1843. All ordinances or parts of ordinances inconsistent herewith be, and the same are repealed.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the paving of Tenth, Twenty-fifth, Twenty-ninth, Herman, Wolf, Stafford, Utah, Earllam, Wiser, Salmon, Franklin, Twenty-fourth, Fiftieth, Forty-eighth, Ilanson, Darien, Wright and Whelan streets, Paschall, Greenway, and Woodland avenues, and Washington lane.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with granite, Pennsylvania, or Lambertville blocks, viz.: Tenth street, from Wolf street to Moyamensing avenue; Twenty-fifth street, from Carpenter street to Washington avenue; the following streets with sheet asphaltum, with broken stone base and binder, viz.: Twenty-ninth street, from Oxford street to Columbia avenue; Herman street, from Twenty-fourth to Twenty-fifth street; the following streets with vitrified paving bricks, viz.: Wolf street, from Seventh to Eleventh street; Stafford street, from Morris street to Wissahickon avenue; Utah street, from Heiskell to Armat street; Earllam street, from Pulaski avenue to Morris street; Wiser street, from Thompson to Almond street, without a sewer being first constructed in said street; Salmon street, from Lefevre to Orthodox street, without a sewer being first constructed in said

street; Franklin street, from Richmond to Garden street, without a sewer being first constructed in said street; Twenty-fourth street, from Federal to Oakford street; Fiftieth street, from Kingsessing avenue to Greenway avenue; Forty-eighth street, from Paschall avenue to Glenmore street; Hanson street, from Paschall avenue to Glenmore street; Darien street, from Indiana to Clearfield street; Wright street, from Ontario street to Glenwood avenue; Whelan street, from Wright street to Glenwood avenue; Paschall avenue, from Grays Ferry road to Forty-ninth street; Paschall avenue, from Forty-five-and-a-half to Forty-sixth street; Greenway avenue, from Forty-ninth to Fiftieth street; unpaved portion of Woodland avenue, from Fifty-second street to Mt. Moriah lane, without sewers being first constructed in such portions of said street which may at present have no proper outlet; Washington lane, from Adams to Green street, without a sewer being first constructed in that portion of said street which may at present have no proper outlet. The cost to the City for said paving not to exceed thirty-six thousand (36,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Jackson, Tasker, Thirty-fifth, Aspen, Fiftieth, Butler, and Marshall streets, Elmwood, and Glenwood avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-

ment of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, including the construction of the necessary sewers or drains, viz.: Jackson street, from Sixteenth to Seventeenth street, at a cost not to exceed two thousand (2,000) dollars; Tasker street, from Maiden lane to Thirty-fifth street, at a cost not to exceed twelve hundred (1,200) dollars; Thirty-fifth street, from Tasker to Moore street, at a cost not to exceed thirteen hundred (1,300) dollars; Aspen street, from Markoe to Forty-eighth street, at a cost not to exceed two hundred and fifty (250) dollars; Fiftieth street, from Wyalusing avenue to Westminster avenue, at a cost not to exceed five hundred (500) dollars; Marshall street, from Indiana to Clearfield street, at a cost not to exceed one hundred and fifty (150) dollars; Butler street, from Fifth to Lawrence street, at a cost not to exceed two hundred and fifty (250) dollars; Elmwood avenue, from Sixty-seventh street to Island road, at a cost not to exceed nine thousand three hundred (9,300) dollars; Glenwood avenue, from Pacific street to Kensington avenue, at a cost not to exceed eight hundred (800) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets shall be first dedicated or properly opened: *And further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the thirtieth day of March, A. D., 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize Peter S. Dooner to construct a vault under Chant street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to Peter S. Dooner to construct a vault under Chant street, east of Tenth street, in the Ninth Ward. The said vault to be not more than eight (8) feet in width from the

south curb line of Chant street, twenty-eight (28) feet in length, and ten (10) feet in depth. The said vault shall be constructed and supported by substantial stone, iron and brick work, which shall be subject to the inspection and approval of the Department of Public Works. In the construction of the said work the said Peter S. Dooner shall provide, through the Department of Public Works, for, the removal of any sewer, water pipe, gas pipe, or conduits, either above or below the vault, or the relocation of the same to such points or positions as will in no way interfere with the sewage or water and gas pipe supply, and shall be at all the cost, charges, and expense in any change or relocation as above provided for. Before beginning the work the said Peter S. Dooner shall submit plans and drawings of the proposed vault to the Board of Highway Supervisors, and before a permit is issued by the Department of Public Works said plans shall be approved by said Board of Highway Supervisors: *Provided*, that said Peter S. Dooner shall first file a satisfactory agreement with the Department of Public Works to be responsible for all damages which may be caused by reason of this privilege being granted to him so long as the vault shall remain in said street. The said Peter S. Dooner shall replace the paving of the street in good condition after the construction of said vault. The work to be done under the supervision and to the satisfaction of the Director of the Department of Public Works. The said vault to be removed at any time Councils may by resolution or ordinance direct, and the streets placed in as good condition as before the removal thereof. The sum of fifty (50) dollars to be paid into the City Treasury for the printing of this ordinance before any privileges are exercised thereunder: *Provided*, That Peter S. Dooner first file a satisfactory bond with the City Solicitor indemnifying the city from any damages which may arise by reason of the granting of said privileges: *Provided further*, That this privilege shall not exempt Peter S. Dooner from the payment of the frontage charge for vaults under sidewalks, as provided for in the ordinance of September 17, 1888, and that the said charges shall be first paid into the City Treasury.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To place on the City plan, as a public park, the plot of ground bounded by Allegheny avenue, Alamendo street, Wellington street and Belgrade street, in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be hereby authorized to place on the City plan, as a public park, the plot of ground bounded by Allegheny avenue, Alamendo street, Wellington street and Belgrade street, in the Twenty-fifth Ward. Said piece of ground to be called Allegheny Square.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To authorize the paving of Wyalusing avenue, June, Aspen, Markoe, Marshall, Nice and Reed streets, intersection of Fifty-fourth and Supplee streets, and intersection of Fairmount avenue and Preston street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with sheet asphaltum, with broken stone base and binder, viz.: Wyalusing avenue, from Belmont avenue to Merion avenue, at a cost to the City not to exceed three thousand (3,000) dollars; June street, from Parrish street to Westminster avenue, at a cost to the City not to exceed six hundred (600) dollars; the following streets with granite, Pennsylvania or Lambertville blocks, viz.: Aspen street, from Markoe to Forty-eighth street, at a cost to the City not to exceed one thousand eight hundred (1,800) dollars; Markoe street, from Fairmount avenue to Aspen street, at a cost to the City not to exceed two hundred (200) dollars; Marshall street, from Indiana to Clearfield street, at a cost to the City not to exceed two hundred (200)

dollars; Reed street, from Eleventh to Twelfth street, at a cost to the City not to exceed six thousand three hundred (6,300) dollars; intersection of Fifty-fourth and Supplee streets, at a cost to the City not to exceed seven hundred (700) dollars; intersection of Fairmount avenue and Preston street, at a cost to the City not to exceed two thousand (2,000) dollars. Nice street, from Barr street to the Reading Railroad, the cost to the City not to exceed the sum of five hundred (500) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished. *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the opening of Reinhard, Gransback, Wentz and Walnut streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice said streets will be required for public use, viz.: Reinhard street, from Forty-seventh to Forty-eighth street; Gransback street, from Cambria to Clearfield street; Wentz street, from Tabor street to Clarkson avenue; Walnut street, from Fifty-eighth to Sixtieth street: *Provided*, That the owners of property abutting on or in the vicinity of said streets herein authorized to be opened shall first file an agreement satisfactory to the City Solicitor in-

dennifying the City against all damages that may be finally assessed against the City in excess of the following amounts: on Reinhard street against all damages in excess of two thousand five hundred (2,500) dollars; on Gransback street, against all damages in excess of three thousand (3,000) dollars; on Wentz street, against all damages in excess of five hundred (500) dollars; on Walnut street, against all damages in excess of four thousand (4,000) dollars.

SECT. 2. Upon the owner or owners of the property abutting on or in the vicinity of any streets herein above named and authorized to be opened, filing the agreement indemnifying the City against all damages in excess of the amounts respectively authorized by this ordinance as the limit payable by the City for the opening of such streets, the Mayor of the City is authorized and requested to enter security on behalf of the City of Philadelphia for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds and at the expiration of said three months of the Director of the Department of Public Works shall forthwith proceed to open said streets: *Provided*, That no action shall be taken by the executive department for the opening of said streets until said property owners' bond shall be approved by the City Solicitor and filed in his office.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the grading of Eleventh, Twelfth, Thirteenth, Adams, Smick, Webster, Boyer, Greene, Price, Twenty-fifth, Emerald, Franklin, Tioga, Ontario, Forty-third, Forty-sixth, Butler, Eighteenth, Twenty-second, Twenty-third, Thirty-first, Morris, Thirty-one-and-three-quarters and Montgomery streets; Florence, Frankford, Greenwich Point, Glenwood, Kingsessing, Krams, Lincoln, Mt. Airy, Moyamensing, Parker, Pulaski, Roumford and Schuylkill avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-

ment of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, and to construct the necessary drains. viz: Eleventh street, from Jackson street to Moyamensing avenue, at a cost not to exceed two hundred and fifty (250) dollars; Twelfth street, from Jackson street to Moyamensing avenue, at a cost not to exceed three hundred and fifty (350) dollars; Thirteenth street, from Wolf street to Moyamensing avenue, at a cost not to exceed one thousand (1000) dollars; Adams street, from Manayunk avenue to Ridge avenue, at a cost not to exceed six thousand (6,000) dollars; Smick street, from Fountain to Prospect street, at a cost not to exceed four hundred (400) dollars; Webster street, from Leverington avenue to Centre street, at a cost not to exceed nine hundred (900) dollars; Boyer street, from Macpherson street to Rounford avenue, at a cost not to exceed five hundred (500) dollars; Greene street from Manheim to Seymour street, at a cost not to exceed six hundred and fifty (650) dollars; Greene street, from Apsley to West Logan street at a cost not to exceed one thousand nine hundred (1,900) dollars; Price street, from Cedar lane to Underhill street, at a cost not to exceed eight hundred (800) dollars; Twenty-fifth street from Abington avenue to Hartwell avenue, at a cost not to exceed five hundred (500) dollars; Emerald street from a point about fifty-four (54) feet south of Sterner street to a point about two hundred (200) feet north of Sterner street, at a cost to the City not to exceed three hundred (300) dollars; Franklin street, from Indiana to Clearfield street, at a cost not to exceed two hundred and twenty-five (225) dollars; Tioga street, from Front to B street, at a cost not to exceed two hundred (200) dollars; Tioga street, from Kensington avenue to J street, at a cost not to exceed seven hundred (700) dollars; Ontario street from Mascher to Front street, at a cost not to exceed five hundred (500) dollars; Forty-third street, from Chester avenue to Woodland avenue, at a cost not to exceed three hundred and fifty (350) dollars; Forty-sixth street, from Walnut to Sansom street, at a cost not to exceed one thousand one hundred (1,100) dollars; Butler street, from Sixteenth to Seventeenth street, the cost not to exceed eight hundred (800) dollars; Twelfth street, from Indiana street to Glenwood avenue, the cost not to exceed five hundred (500) dollars; Eighteenth street, from Jackson to Ritner street, at a cost not to exceed three hundred (300)

dollars ; Twenty-second street, from Point Breeze avenue to Watkins street, at a cost not to exceed four hundred (400) dollars ; Twenty-third street, from Dickinson to Tasker street, at a cost not to exceed two hundred and fifty (250) dollars ; Thirty-first street, from Wharton to Reed street, at a cost not to exceed five hundred (500) dollars ; Morris street, from Twenty-first street to Point Breeze avenue, at a cost not to exceed two hundred and fifty (250) dollars ; Thirty-one and three-quarters street, from Berks to Norris street, at a cost not to exceed three hundred (300) dollars ; Montgomery street, from Twenty-eighth street to Sedgely avenue, at a cost not to exceed two thousand four hundred (2,400) dollars ; Florence avenue, from Forty-eight to Fiftieth street, at a cost to exceed five hundred (500) dollars ; Frankford avenue, from Harrowgate lane to one hundred and seventy (170) feet southwest of Juniata avenue, at a cost not to exceed nine hundred and fifty (950) dollars ; Greenwich Point road, to a temporary passable grade from Snyder avenue to Wolf street, at a cost not to exceed two thousand four hundred (2,400) dollars ; Glenwood avenue, from Eleventh to Twelfth street, at a cost not to exceed one thousand two hundred and fifty (1,250) dollars ; Kingsessing avenue, from Forty-second to Forty-third street, at a cost not to exceed one thousand two hundred (1,200) dollars ; Krams avenue, from Pechin to Webster street, at a cost not to exceed five thousand two hundred (5,200) dollars ; Lincoln avenue, from Green to Carpenter street, at a cost not to exceed nine thousand (9,000) dollars ; Mt. Airy avenue, from Philadelphia & Reading R. R. to Stenton avenue, at a cost not to exceed three hundred and fifty (350) dollars ; Moyamensing avenue, from Eleventh to Broad street, at a cost not to exceed one thousand five hundred (1,500) dollars ; Parker avenue, from Ridge avenue to Pechin street, at a cost not to exceed three hundred (300) dollars ; Pulaski avenue, from Seventeenth street to Hunting Park avenue, at a cost not to exceed three hundred (300) dollars ; Rounford avenue, from Sprague to Devon street, at a cost not to exceed eight hundred and fifty (850) dollars ; Rounford avenue, from Germantown avenue to Devon street, at a cost not to exceed seven hundred and fifty (750) dollars ; Schuylkill avenue, from Wharton to Reed street, at a cost not to exceed one thousand (1,000) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks : *Provided*, That said streets shall be first dedicated or prop-

erly opened: *And further provided*, That the said grading shall be advertised for and the contract awarded to the lowest bidder.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the paving of the intersection of Forty-sixth and Linmore streets; and the paving of Twelfth, Thirteenth, Twentieth, Twenty-second, Twenty-third, Thirty-first. Morris, McKean, Butler, Seventeenth, Logan, Mutter, Venango, Franklin, Locust, Heiskell, Seventy-first, Warren, and Morse streets, Sedgely, Glenwood, Mt. Airy, Woodbine, and Florence avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with granite, Pennsylvania or Lambertville blocks, viz: Intersection of Forty-sixth and Linmore streets, at a cost to the City not to exceed one thousand (1,000) dollars; Twelfth street, from Cambria street to Glenwood avenue, at a cost to the City not to exceed one thousand seven hundred (1,700) dollars; Thirteenth street, from Wolf street to Moyamensing avenue, at a cost to the City not to exceed six thousand (6,000) dollars; Twentieth street, from Girard avenue to South College avenue, at a cost to the City not to exceed five hundred (500) dollars; Twentieth street, from Mifflin street to Passyunk avenue, at a cost to the City not to exceed four thousand five hundred (4,500) dollars; Twenty-second street, from Point Breeze avenue to Watkins street, at a cost to the City not to exceed four thousand eight hundred (4,800) dollars; Twenty-third street, from Dickinson to Tasker streets, at a cost to the City not to exceed one thousand four hundred (1,400) dollars; Thirty-first street, from Wharton to Reed streets, at a cost to the City not to exceed one thousand one

hundred (1,100) dollars; Morris street, from Twenty-first street to Point Breeze avenue, at a cost to the City not to exceed one thousand five hundred (1,500) dollars; McKean street from Nineteenth to Twentieth streets, at a cost to the City not to exceed two hundred (200) dollars; Butler street, from Sixteenth street to Pulaski avenue, and Seventeenth street, from Butler street to Pulaski avenue, at a cost to the City not to exceed one thousand three hundred (1,300) dollars; Logan street, from Nicetown lane to Ruffiner street, at a cost to the City not to exceed nine hundred (900) dollars; Sedgely avenue, from Twenty-second street to York road, at a cost to the City not to exceed one thousand eight hundred (1,800) dollars; Glenwood avenue, from Eleventh to Twelfth streets, at a cost to the City not to exceed one thousand four hundred (1,400) dollars; the unpaved portion of Mutter street, between Lehigh avenue and Somerset streets, at a cost to the City not to exceed one hundred (100) dollars; Venango street, from Fifth to Lawrence streets, at a cost to the City not to exceed one thousand one hundred (1,100) dollars. The following streets with vitrified paving brick: Franklin street, from Main to Emlen streets, at a cost to the City not to exceed one thousand (1,000) dollars; Locust avenue, from Sprague to Chew streets, without a sewer being first constructed in said street, at a cost to the City not to exceed one thousand (1,000) dollars; Heiskell street, from Armat street to Cheltenham avenue, at a cost to the City not to exceed six hundred (600) dollars; Mt. Airy avenue, from the Philadelphia and Reading Railroad to Stenton avenue, without a sewer being first constructed in said street, at a cost to the City not to exceed three thousand (3,000) dollars; Woodbine avenue, from Cedar lane to Wilson street, at a cost to the City not to exceed two thousand five hundred (2,500) dollars; Woodbine avenue, from Chew street to Cedar lane, at a cost to the City not to exceed one hundred and fifty (150) dollars; Florence avenue, from Forty-eighth to Fiftieth street, at a cost to the City not to exceed one thousand five hundred (1,500) dollars; Seventy-first street, from Woodland avenue to Greenway avenue, at a cost to the City not to exceed two thousand (2,000) dollars; Warren street, from Fifty-first to Master, at a cost to the City not to exceed one hundred and fifty (150) dollars. The following streets with sheet asphaltum, with broken stone base and binder, viz.: Morse street, from Thirty-first to Thirty-third street, at a cost to the City not to exceed one thousand

three hundred (1,300) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said street shall not be charged more than the contract price.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Public Safety for the year 1894."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance to make an appropriation to the Department of Public Safety for the year 1894, approved December 30, 1893, be, and the same is hereby amended by adding the following to the end of section 2: *Provided*, That the Director shall draw warrants upon Item 1 of this Bureau for the payment of wages at the rate of two dollars and twenty-five cents per day for substitute Police officers when called on to do service by the Director of Public Safety on holidays, election days, or during public emergencies.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To make a transfer in the annual appropriation to the Department of Public Safety, Bureau of City Property, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and is hereby authorized and directed to make the following transfer in the annual appropriation to the Department of Public Safety, Bureau of City Property, for the year 1894, as follows: from Item 34, for erection of fire station, etc., ten thousand five hundred and seventy-five (10,575) dollars, to Item 23, for the erection of stable, etc.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

Amendatory to an ordinance entitled "An Ordinance to make an appropriation to the Clerks of Councils for the year 1894," approved December 19, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the proviso in Item 9, in the ordinance entitled "An Ordinance to make an appropriation to the Clerks of Councils for the year 1894," be amended by striking out the words "eight hundred and fifty," and inserting in lieu thereof the words "nine hundred and fifty," so it will read "That not more than nine hundred and fifty (950) journals and appendixes of each branch of Councils for each half year shall be printed."

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To approve the supplemental contract and surety of Thomas Cooper, for constructing main sewer storm water conduits, southwest of Main street, Manayunk, and rebuilding storm water conduits on Cotton street, and constructing pipe sewers in certain other streets in Manayunk, and the contracts and surety of K. and D. Dooley for the construction of a main sewer on Fifty-second street, extension from the present terminus near Paschall avenue through private property to a culvert under the Philadelphia, Wilmington and Baltimore Railroad, and a main sewer on Passyunk avenue from Twenty-first street to Twentieth street, and on Twentieth street from Passyunk avenue to Snyder avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the supplemental contract of Thomas Cooper for constructing main sewer storm water conduits, southwest of Main street, Manayunk, and rebuilding storm water conduits on Cotton street and constructing pipe sewers in certain other streets in Manayunk be, and the same is hereby approved, and that The Equitable Trust Company be, and it is hereby approved as the surety of the said Thomas Cooper for the faithful performance of the said supplemental contract; and that the contracts of K. and D. Dooley, for the construction of a main sewer on Fifty-second street, extension from the present terminus near Paschall avenue through private property to a culvert under the Philadelphia, Wilmington and Baltimore Railroad, and a main sewer on Passyunk avenue from Twenty-first street to Twentieth street, and on Twentieth street from Passyunk avenue to Snyder avenue be, and the same are hereby approved, and that Robert Manley be, and he is hereby approved as surety of the said K. and D. Dooley for the faithful performance of the said contracts: *Provided*, That the said contracts shall contain clauses that the said sewers shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For said main sewer on Fifty-second street:—For circular brick sewer five feet three inches in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and sixty (60) cents. For circular brick sewer

three feet in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and thirty (30) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut granite curb, twenty-four inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra-cotta pipe, six inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra-cotta pipe, twelve inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, fifteen inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done not to exceed the sum of five thousand (5,000) dollars.

For said main sewer on Passyunk avenue:—For circular brick sewer 5 feet 9 inches in diameter, per linear foot, including all appurtenances, the sum of fifteen (15) dollars. For circular brick sewer 5 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of nine (9) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra-cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra-cotta pipe 15 inches in diameter,

not in concrete. per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done not to exceed the sum of four thousand two hundred (4,200) dollars.

And the City Solicitor is directed to restrict the lien of the judgment to be entered against the said Robert Manley to the following premises, viz:—No. 4970 Lancaster avenue, Nos. 5015, 5017, 5019, 5021 and 5023 Kershaw street, and all that certain lot of ground, with the twelve houses thereon erected, described as follows: Beginning at a point on the north side of Clearfield street, 16 feet east of Thirty-fourth street; thence extending eastward 115 feet 5 inches to a point; thence north 27 degrees 16 minutes west 209 feet  $9\frac{1}{4}$  inches to Thirty-fourth street; thence south 98 feet  $11\frac{3}{8}$  inches to a point; thence east 16 feet; thence south 63 feet to Clearfield street.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To amend an ordinance entitled “An Ordinance to make an appropriation to the Board of Public Education for the year 1894,” approved December 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled “An Ordinance to make an appropriation to the Board of Public Education for the year 1894,” approved December 30, 1893, be amended by striking out the following proviso: *Provided, also*, That whenever it can be reasonably expected that the total cost of the article or work required will not exceed one hundred (100) dollars, then, and in that case, proposals in writing may be asked for the article or work to be furnished, from not less than three reliable parties actually engaged in their manufacture or sale; and that proposals received shall be opened in the presence of the proper committee; and that a schedule of the bids received, with a copy of the request for the same, shall be certified to the City Controller,” and in-

serting in lieu thereof the following: *Provided, also*, That whenever it can be reasonably expected that the total cost of the article or work required will not exceed one hundred (100) dollars, then, and in that case, the respective committees of the Board of Public Education shall have authority to purchase said article or have said work done, subject to the approval of the bills by the Board of Public Education.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to Items 1 and 10, in the annual appropriation to the Board of Public Education for the year 1894, for salaries of additional teachers and janitors.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of fifty-five thousand (55,000) dollars be, and the same is hereby appropriated to Items 1 and 10 in the annual appropriation to the Board of Public Education as follows:

To Item 1, for salaries of additional teachers, fifty thousand (50,000) dollars; to Item 10, for salaries of additional janitors, five thousand (5,000) dollars.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Inspectors of the County Prison for the year 1894."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to make an appropriation to the Inspectors

of the County Prison for the year 1894," approved December 20, 1893, be amended by adding the following: "*Provided*, That the said Inspectors of the County Prison shall be allowed, when it is in their judgment to the best interests of the City, to purchase or contract, without advertisement, bills for the County Prison not exceeding the sum of one hundred (100) dollars. And the City Controller is hereby authorized to countersign warrants for bills so rendered, upon the approval of the said bills by the Board of Inspectors."

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Authorizing the appointment of an engineer corps in the Bureau of Surveys, and making an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and he is hereby authorized to appoint a corps of engineers and draughtsmen to be temporarily attached to the Bureau of Surveys, and to perform such services as the Director may determine.

SECT. 2. That for the pay and equipments of the said corps, the sum of thirteen thousand (13,000) dollars be, and is hereby appropriated to new item, to be called Item 29, in the annual appropriation to the Department of Public Works, Bureau of Surveys, to pay salaries of engineer corps and draughtsmen from the first day of April, and equipment as follows:

Engineer Corps at the rate of, per annum: Assistant engineer one thousand six hundred (1,600) dollars; draughtsman one thousand two hundred (1,200) dollars; transitman eight hundred and forty (840) dollars; rodman seven hundred and twenty (720) dollars; chainman five hundred (500) dollars; draughtsmen, two at fifty (50) dollars per month; two at sixty (60) dollars per month; two at seventy five (75) dollars per month; two at eighty-three (83) dollars and thirty-three

(33) cents per month; two at one hundred (100) dollars per month; one at one hundred and twenty-five (125) dollars per month; salaries eleven thousand four hundred (11,400) dollars; equipments, one thousand six hundred (1,600) dollars.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To make an appropriation to certain items in the annual appropriations to the Department of Public Works, Public Safety and City Commissioners for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of nineteen thousand seven hundred and nineteen (19,719) dollars and fourteen (14) cents be, and the same is hereby appropriated to certain items in the annual appropriations to the Departments of Public Works, Public Safety and City Commissioners, as follows:—Department of Public Works, Bureau of Highways, to Item 4½, for completing the macadamizing of Monument road from Ford road to City avenue, six thousand seven hundred and twelve (6,712) dollars and eighty-eight (88) cents, subject to the provisions and conditions of ordinance to macadamize said road, approved June 21, 1892; Department of Public Safety, Electrical Bureau, to Item 11, for telephone service for the Pennsylvania Naval Reserve Armory at Broad and Pine streets, one hundred (100) dollars; to new Item 16½ for lighting the Welsh road in Thirty fifth Ward with electric lights, six thousand seven hundred (6,700) dollars; Bureau of City property to Item 2, salaries for paying laborers in the public squares for the year 1894, three thousand nine hundred (3,900) dollars; Department of City Commissioners to Item 30, to pay Pennsylvania Reformatory at Huntingdon for the year 1893, two thousand three hundred and six (2,306) dollars and twenty-six (26) cents.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the immediate opening of a portion of the Almshouse grounds set apart for park purposes by the Ordinance approved July 6, 1883, for public use as a Museum and Botanical Garden and Park, and conveying the same to the Trustees of the University of Pennsylvania in trust for the purposes herein set forth.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the Almshouse grounds which was set apart for public park purposes under and by virtue of the ordinance approved July 6, 1883, as is described as follows: All that certain lot or piece of ground in the Twenty-seventh Ward of the City of Philadelphia, beginning at the southeast corner of Thirty-fourth and Spruce streets, thence extending eastward along the south side of Spruce street to its intersection with the southwest side of South street, thence along the same southeastward to the northwest boundary of the right of way of the West Chester and Philadelphia Railroad, thence along the same southwestward to the northeast side of Almshouse or Blockley lane, thence along the same to the northwest boundary line of the present Water Department storage yard, thence following the direction of this line to the northeast for a distance of four hundred (400) feet, more or less, thence northwestward along a line parallel to and thirty (30) feet to the northeast of the northeast wall of the present Almshouse stone barn, for a distance of three hundred and fifty (350) feet, more or less, thence southwestward along a line parallel to and about thirty (30) feet to the northwest of the northwest wall of the aforesaid barn, to its intersection with the east side of Thirty-fourth street, thence along the same to the south side of Spruce street, and place of beginning, containing eight acres, more or less, shall be forthwith opened to use as a Public Park forever.

SECT. 2. For the purpose of securing the suitable improvement of the same, said lot of ground above described shall be conveyed to the Trustees of the University of Pennsylvania in trust to lay out and maintain the same forever as and for a Museum and a Botanical Garden and Park without expense to the City of Philadelphia, to be opened to the free access of



the public at all times forever, under suitable regulations, to be from time to time agreed upon by the said Trustees and Mayor of the said City; and also to erect thereon a Museum of Science and Art, without expense to the said City: *Provided*, That the said grounds shall be placed in the proper condition for the purposes of this ordinance within five years from the date of the execution of the deed creating and accepting said trust herein created, said deed of trust to be prepared by the City Solicitor with all suitable covenants and provisions necessary to carry out the intent of this ordinance, and secure the privileges to all parties herein named, to be executed by the Mayor of the City, and the said Trustees, with the proper legal authority, accepting the same: *And provided further*, That in the event of the failure on the part of said Trustees of the University of Pennsylvania to place the said grounds in the proper condition for the purposes hereof within the said five years, or of maintaining the same as a Museum and a Botanical Garden and Park, and keeping the same open to the public as aforesaid at all times hereafter forever, or shall divert the said ground to any other purposes than those specified in this ordinance, then the Trust created by this ordinance shall cease and determine, and this ordinance and all privileges granted hereunder shall become null and void, and the said property shall revert to the City of Philadelphia free, clear and discharged of any and all trusts hereby created, or expenses or obligations created by reason of this ordinance.

Approved the thirtieth day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the appointment of a Joint Standing Committee on Street Cleaning.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That from and after the passage of this ordinance there shall be established a Joint Standing Committee of Councils to be designated The Committee on

Street Cleaning, the Chairman of which shall be a member of Common Council, and the Committee to consist of twelve members from each Chamber.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the appointment of a Joint Standing Committee on Street Passenger Railroads.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That from and after the passage of this ordinance there shall be established a Joint Standing Committee of Councils, to be designated and known as the Committee on Street Passenger Railroads, the Chairman of which shall be a member of Select Council, and the Committee shall consist of twelve members from each Chamber.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of six hundred and twenty-six thousand nine hundred and ninety-two (626,992) dollars and seventy-two (72) cents be, and the same is hereby appropriated to the Commissioners for the erection of the Public Buildings, for the purposes of the Commission during the year 1894, viz. :

Item 1. Salaries and wages, March 1st to December 31st, 1894: For salary of architect, three thousand three hundred and thirty-three (3,333) dollars and thirty-four (34) cents;

superintendent, two thousand five hundred (2,500) dollars ; secretary, two thousand two hundred and ninety-one (2,291) dollars and sixty-eight (68) cents ; solicitor, seven hundred and fifty (750) dollars ; clerk and messenger, one thousand (1,000) dollars ; superintendent of warming and ventilating, one thousand six hundred and sixty-two (1,662) dollars and fifty (50) cents ; superintendent's clerk, one thousand two hundred and fifty (1,250) dollars. Mechanics and laborers, as follows : For wages of one (1) carpenter (foreman), nine hundred and seventeen (917) dollars ; one (1) carpenter, seven hundred and twenty (720) dollars and fifty (50) cents ; nine (9) carpenters, each six hundred and fifty-five (655) dollars, five thousand eight hundred and ninety-five (5,895) dollars ; one (1) time keeper, seven hundred and eighty-six (786) dollars ; one (1) receiver, seven hundred and eighty-six (786) dollars ; one (1) laborer (foreman), eight hundred and fifty one (851) dollars and fifty (50) cents ; one (1) laborer (rigger), seven hundred and twenty (720) dollars and fifty (50) cents ; eight (8) laborers, each six hundred and fifty-five (655) dollars, five thousand two hundred and forty (5,240) dollars ; three (3) guides, each six hundred and fifty-five (655) dollars, one thousand nine hundred and sixty-five (1,965) dollars ; two (2) laborers (306 days), each six hundred and eighty-eight (688) dollars and fifty (50) cents, one thousand three hundred and seventy-seven (1,377) dollars ; forty (40) laborers, each five hundred and twenty-four (524) dollars, twenty thousand nine hundred and sixty (20,960) dollars ; ten (10) laborers, each four hundred and fifty-eight (458) dollars and fifty (50) cents, four thousand five hundred and eighty-five (4,585) dollars ; three (3) janitresses, each three hundred and ninety-three (393) dollars, one thousand one hundred and seventy-nine (1,179) dollars ; three (3) janitresses, each three hundred and twenty-seven (327) dollars and fifty (50) cents, nine hundred and eighty-two (982) dollars and fifty (50) cents ; one (1) captain night watch (306 days), one thousand and seventy-one (1,071) dollars ; one (1) captain day watch, eight hundred and fifty-one (851) dollars and fifty (50) cents ; two (2) watchmen (306 days), each six hundred and twelve (612) dollars, one thousand two hundred and twenty-four (1,224) dollars ; one (1) watchman, five hundred and twenty-four (524) dollars ; fourteen (14) watchmen (306 days), each five hundred and thirty-five (535) dollars and fifty (50) cents, seven thousand four hundred and ninety-seven (7,497) dollars ;

twenty-six (26) watchmen, each four hundred and fifty-eight (458) dollars and fifty (50) cents, eleven thousand nine hundred and twenty-one (11,921) dollars; one (1) painter (foreman), eight hundred and fifty-one (851) dollars and fifty (50) cents; ten (10) painters, each six hundred and fifty-five (655) dollars, six thousand five hundred and fifty (6,550) dollars.

### *Heating and Ventilating Department.*

Three (3) engineers (306 days), each nine hundred and eighteen (918) dollars, two thousand seven hundred and fifty-four (2,754) dollars; five (5) pumpmen (306 days), each eight hundred and forty-one (841) dollars and fifty (50) cents, four thousand three hundred and seven (4,307) dollars and fifty (50) cents; fourteen (14) firemen (306 days), each six hundred and eighty-eight (688) dollars and fifty (50) cents; nine thousand six hundred and thirty-nine (9,639) dollars; one (1) steam-fitter, seven hundred and eighty-six (786) dollars; one (1) helper, six hundred and fifty-five (655) dollars.

### *Elevator Service.*

One (1) foreman (306 days), one thousand two hundred and twenty-four (1,224) dollars; five (5) elevator men (306 days), each six hundred and twelve (612) dollars, three thousand and sixty (3,060) dollars; ten (10) elevator men, each five hundred and twenty-four (524) dollars, five thousand two hundred and forty (5,240) dollars.

### *Electric Light Department.*

One (1) electrician (306 days), one thousand five hundred and thirty (1,530) dollars; three (3) engineers (306 days) each, nine hundred and eighteen (918) dollars, two thousand seven hundred and fifty-four (2,754) dollars; two (2) dynamo men (306 days), each seven hundred and sixty-five (765) dollars, one thousand five hundred and thirty (1,530) dollars; one (1) trimmer (306 days), eight hundred and forty-one (841) dollars and fifty (50) cents; five (5) firemen (306 days), each six hundred and eighty-eight (688) dollars and fifty (50) cents, three thousand four hundred and forty-two (3,442) dollars and fifty (50) cents.

*Plumbing and Gas Fitting Department.*

One (1) master-plumber, one thousand five hundred and seventy-two (1,572) dollars; one (1) foreman plumber, one thousand and forty-eight (1,048) dollars; five (5) plumbers, each nine hundred and seventeen (917) dollars, four thousand five hundred and eighty-five (4,585) dollars; three gas-fitters, each seven hundred and eighty-six (786) dollars, two thousand three hundred and fifty-eight (2,358) dollars; ten (10) helpers, each six hundred and fifty-five (655) dollars, six thousand five hundred and fifty (6,550) dollars.

*Bricklayers.*

One (1) foreman, one thousand three hundred and ten (1,310) dollars; four (4) journeymen, each one thousand and fifty-five (1,055) dollars and ten (10) cents, four thousand two hundred and twenty (4,220) dollars and forty (40) cents; four laborers, each six hundred and fifty-five (655) dollars.

*Stone Cutters.*

Three (3) stone cutters, each nine hundred and seventeen (917) dollars, two thousand seven hundred and fifty-one (2,751) dollars; three (3) helpers, each six hundred and fifty-five (655) dollars, one thousand nine hundred and sixty-five (1,965) dollars. Total, one hundred and fifty-six thousand nine hundred and eighty-five (156,985) dollars and forty-two (42) cents.

Item 2. Stationery, printing, advertising and architects supplies, seven hundred (700) dollars.

Item 3. Bricks and brick work, one thousand (1,000) dollars.

Item 4. Incidental cast and wrought iron work and uncompleted contracts, nine hundred and fifty-eight (958) dollars.

Item 5. Mill work, uncompleted contracts, five hundred (500) dollars.

Item 6. Hauling ashes and rubbish, one thousand (1,000) dollars.

Item 7. Lumber, one thousand (1,000) dollars.

Item 8. Hardware, incidental supplies, five hundred (500) dollars.

Item 9. Painting and glazing, five hundred (500) dollars.

Item 10. Marble and marble work, one thousand (1,000) dollars.

Item 11. Dressed stone, inside finish, uncompleted contracts, one thousand (1,000) dollars.

Item 12. Incidental materials and furnishings, one thousand (1,000) dollars.

Item 13. Cement, five hundred (500) dollars.

Item 14. Furnishing rooms, sundry repairs and supplies, five hundred (500) dollars.

Item 15. Heating and ventilating (coal), seven thousand (7,000) dollars; oil, repairs and sundry supplies, one thousand (1,000) dollars, eight thousand (8,000) dollars.

Item 16. Vulcanite paving, asphalt flooring, five hundred (500) dollars.

Item 17. Copper work, five hundred (500) dollars.

Item 18. Elevators, supplies and repairs, five hundred (500) dollars.

Item 19. Electric lighting (coal), four thousand (4,000) dollars; repairs, supplies and extensions, one thousand (1,000) dollars, five thousand (5,000) dollars.

Item 20. Plastering, uncompleted contracts, and repairs, five hundred (500) dollars.

Item 21. Plumbing and gas fitting, general work, five hundred (500) dollars.

Item 22. Bronze work, three hundred (300) dollars.

Item 23. Granite work, five hundred (500) dollars.

Item 24. Water supply, five hundred (500) dollars.

Item 25. Tiles and tiling, repairs and uncompleted contracts, one thousand and fifty-four (1,054) dollars and thirty (30) cents.

Item 26. Metal work of tower, fifty thousand (50,000) dollars.

Item 27. Fitting up rooms as follows, viz: Common Pleas Courts, the Orphans Courts, Prothonotary Offices, Clerks and Record Rooms for said Courts, and the offices for the Sheriff, distributed to items of material and labor for said fitting up as follows: Mill work, thirty-two thousand three hundred and sixty-four (32,364) dollars; hardware, two thousand (2,000) dollars; glass, seven hundred and fifty (750) dollars; stone work, one hundred and fifteen thousand (115,000) dollars; tiling walls and mosaic floors, fifty-seven thousand three hundred and thirty-three (57,333) dollars; plastering, not including scaffolding, sixty-seven thousand four hundred and ninety (67,490) dollars; Neufchatel asphalt floors, twenty-nine thousand nine hundred and ninety-eight (29,998) dollars; iron work, structural and ornamental, forty-six thousand six hundred and fifty-four (46,654) dollars; heating and ventilation, two thousand one hundred (2,100) dollars; telephone wiring, seven hundred and fifty (750) dollars; electric light installation, eleven thousand five hundred (11,500) dollars; plumbing and gas fitting, twenty thousand (20,000) dollars; for the modification of the accommodations for the Recorder of Deeds and his clerks, three thousand seven hundred (3,700) dollars; fitting up in temporary manner the rooms for the Building Commissioners, the secretary, architect and superintendent, two thousand three hundred and fifty-six (2,356) dollars, three hundred and ninety-one thousand nine hundred and ninety-five (391,995) dollars, and balances at the end of the year 1894, shall not merge.

*Provided*, That all work and materials necessary for the completion and furnishing of the buildings shall be advertised for not less than three times in three daily newspapers of this City, and that all bids for the same be opened and contracts awarded at the regular or special meetings of the Commission to the lowest and best bidder.

All warrants shall be drawn by the Commissioners for the Erection of the Public Buildings in conformity with existing ordinances.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize certain transfers from certain items in the appropriations to the Commissioners for the Erection of the Public Buildings, for the years 1893 and 1894, to Section 1 of "An Ordinance to make an appropriation to the Commissioners for the Erection of the Public Buildings, for the year 1894."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers, viz: From appropriation approved March 16, 1893—Item 1. For salaries of architect, superintendent, secretary, etc., four hundred and fifty (450) dollars and forty-four (44) cents; Item 2. Stationery, printing, and advertising, ninety-five (95) dollars and ninety-two (92) cents; Item 3. Bricks and brickwork, four hundred and four (404) dollars; Item 5. Carpenter work, five hundred and fifty-eight (558) dollars; Item 6. Labor and watching, six hundred and eighty-six (686) dollars and thirty-two (32) cents; Item 8. Hardware, two hundred and twenty-one (221) dollars and seventy-seven (77) cents; Item 9. Painting and glazing, seven hundred and fifty-five (755) dollars and fifty cents; Item 12. Incidental materials and labor, eighty-eight (88) dollars and seventy-three (73) cents; Item 14. Fitting up and furnishing rooms, three hundred and sixty-two (362) dollars and fifty-five (55) cents; Item 15. Heating and ventilating, two hundred and fifty-six (256) dollars and sixty-six (66) cents; Item 18. Elevators, three hundred and fifty-one (351) dollars and seventy-six (76) cents; Item 21. Plumbing and gasfitting, two hundred and twenty-four (224) dollars and thirteen (13) cents—total, four thousand four hundred and fifty-five (4,455) dollars and seventy-eight (78) cents; Item 13. To pay certain bills, approved by the said Commissioners from January 1, 1893, to May 24, 1893, seventeen (17) dollars and seventy-six (76) cents—total, four thousand four hundred and seventy-three (4,473) dollars and fifty-four (54) cents. From appropriation approved January 5, 1894—Item 1. Salaries of architect, superintendent, secretary, etc., fifteen thousand three hundred and fifty-seven (15,357) dollars; Item 2. Stationery, printing, and advertising, seven hundred and fifty (750) dollars; Item 3. Lumber, four thousand (4,000) dollars; Item 4. Hardware, one



thousand five hundred (1,500) dollars; Item 5. Incidental materials and labor, seven thousand five hundred and sixty (7,560) dollars and eighty-seven (87) cents; Item 6. Cement, one thousand five hundred (1,500) dollars; Item 7. Heating and ventilating, forty-seven thousand three hundred and seventy-seven (47,377) dollars and seventy-four (74) cents; Item 8. Copper work, five hundred (500) dollars; Item 9. Electric lighting, twenty-two thousand three hundred and twenty-six (22,326) dollars and fifty-five (55) cents; Item 10. Granite work, one thousand (1,000) dollars; Item 11. Water supply, one thousand (1,000) dollars: total, one hundred and two thousand eight hundred and seventy-two (102,872) dollars and sixteen (16) cents—making in all one hundred and seven thousand three hundred and forty-five (107,345) dollars and seventy (70) cents—to Section 1 of “An Ordinance to make an appropriation to the Commissioners for the Erection of the Public Buildings, approved January 5, 1894,” for the following purposes, viz:

Item 2. Stationery, printing, advertising, and architects' supplies, five hundred (500) dollars; Item 3. Bricks and brickwork, five thousand (5,000) dollars; Item 4. Incidental cast and wrought iron work and uncompleted contracts, twelve thousand (12,000) dollars; Item 5. Mill work (uncompleted contracts), two thousand five hundred (2,500) dollars; Item 6. Hauling ashes and rubbish, three thousand (3,000) dollars; Item 7. Lumber, three thousand (3,000) dollars; Item 8. Hardware (incidental supplies), one thousand (1,000) dollars; Item 9. Painting and glazing, one thousand (1,000) dollars; Item 10. Marble and marble work, four thousand (4,000) dollars; Item 11. Dressed stone, inside finish (uncompleted contracts), four thousand (4,000) dollars; Item 12. Incidental materials and furnishings, fourteen thousand (14,000) dollars; Item 13. Cement, one thousand (1,000) dollars; Item 14. Furnishing rooms, sundry repairs, and supplies, two thousand five hundred (2,500) dollars; Item 15. Heating and ventilating—coal, eighteen thousand (18,000) dollars, oil, repairs, and sundry supplies, four thousand (4,000) dollars—twenty-two thousand (22,000) dollars; vulcanite paving, asphalt flooring, one thousand (1,000) dollars; Item 18. Elevators (supplies and repairs), five hundred (500) dollars; Item 19. Electric lighting—coal, six thousand (6,000) dollars; repairs, supplies, and extensions, nine thousand (9,000) dollars; Item 20. Plastering (uncompleted contracts and repairs), two thousand

(2,000) dollars; Item 21. Plumbing and gasfitting (general work), one thousand five hundred (1,500) dollars; Item 22. Bronze work, seven hundred (700) dollars; Item 24. Water supply, one thousand (1,000) dollars; Item 25. Tiles and tiling (repairs and uncompleted contracts), ten thousand one hundred and forty-five (10,145) dollars and seventy (70) cents. And balances at the end of the year 1894 shall not merge.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894, for preparatory work necessary to installation of eight additional elevators.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of fifty thousand (50,000) dollars be, and the same is hereby appropriated to the Commissioners for the erection of the Public Buildings, for the preparatory work necessary to installation of eight additional elevators, and balances at the end of the year 1894, shall not merge.

*Provided*, That all work and materials necessary for the completion and furnishing of these buildings shall be advertised for not less than three times in three daily newspapers of this City, and that all bids for the same be opened and contracts awarded at the regular or special meetings of the Commission to the lowest and best bidder.

All warrants shall be drawn by the Commissioners for the erection of the Public Buildings in conformity with existing ordinances.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Commissioners for the erection of the Public Buildings, to pay certain bills approved by said Commissioners for which provision had not been made in previous appropriations.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of fourteen thousand six hundred and twenty-eight (14,628) dollars and thirty-five (35) cents be, and the same is hereby appropriated to the Commissioners for the erection of the Public Buildings, for the payment of certain bills as stated in the following schedule: Tacony Iron and Metal Co., for metal work of tower, monthly bills approved from May, 1893, to January, 1894, inclusive, ten thousand four hundred and ninety-one (10,491) dollars and seventeen (17) cents, and for iron floor beams, all under contract, two thousand five hundred (2,500) dollars; Hoff and Fontaine for iron work, bills of November and December, 1893, one thousand four hundred and fourteen (1,414) dollars and sixty-eight (68) cents, and Henry B. Ashmead for printing during the year 1893, two hundred and twenty-two (222) dollars and fifty (50) cents; total, fourteen thousand six hundred and twenty-eight (14,628) dollars and thirty-five (35) cents. And warrants shall be drawn by the Commissioners for the erection of the Public Buildings in conformity with existing ordinances.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the paving of Juniper, Magnet, Maiden, Lehman, Donat, Jefferson, Royal, Orchard, Franklin, Salmon and Thirty-third streets, and Stenton avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department

of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with vitrified brick, viz: Juniper street, from Snyder avenue to Jackson street; Magnet street, from Green lane to Gay street; Maiden street, from Wood to Latch street; Lehman street, from Wayne to Donat street; and Donat street, from Lehman to Rittenhouse street; Jefferson street, from Johnson to Duval street; Royal street, from Manheim to Seymour street; Stenton avenue, from Fisher's lane to Germantown avenue; Orchard street, from Franklin to Bridge street, without a sewer being first constructed in said street; Franklin street, from Richmond to Orchard street, without a sewer being first constructed in said street; the following streets with granite, Penna. or Lambertville blocks, viz: unpaved portion of Salmon street, from Wellington to Westmoreland street. Also Thirty-third street, from Montgomery to Diamond street, with sheet asphaltum, with broken stone base and binder to the width of forty-six (46) feet in the centre, said paving of Thirty-third street to be done under and in accordance with the provisions of an ordinance approved March 11, 1891, entitled "An Ordinance to provide for grass plots and planting of trees along the sidewalks of the streets and avenues of the City of Philadelphia, seventy (70) feet wide and over from house line to house line." The cost of said paving to the City not to exceed the sum of twenty-four thousand (24,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend ordinance approved April 9, 1892, relating to the grading of Wood street, from Leverington avenue to Jefferson street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved April 9, 1892, relating to the grading of Wood street, from Leverington avenue to Jefferson street, be altered and amended by striking out the words and figures "four thousand eight hundred (4,800) dollars," and inserting the words and figures "nine thousand five hundred (9,500) dollars," so that the ordinance shall read: "Wood street, from Leverington avenue to Jefferson street, at a cost not to exceed nine thousand five hundred (9,500) dollars."

Approved the thirty-first day of March, A. D, 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To make an appropriation to Item 26 in the annual appropriation to the Department of Public Works, Bureau of Highways, for the year 1894, for repaving streets not occupied by passenger railways.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and forty thousand (140,000) dollars be, and the same is hereby appropriated to Item 26 in the annual appropriation to the Department of Public Works, Bureau of Highways for the year 1894, for repaving streets not occupied by passenger railways.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To place on the City plan Kinnier, Saulnier, Stephen, McFall, and Church streets; Holland place and Brinkley place.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Kinnier street, twenty-two feet wide, from Cheltenham avenue to Bowman street; Saulnier street, twelve and twenty feet wide, from Twenty-seventh to Twenty-eighth street; Stephen street, twenty feet wide, from Saulnier to Church street; McFall street, twenty feet wide, from Saulnier to Church street; Church street, twenty and thirty-three feet nine and one-half inches wide, from Twenty-seventh to Twenty-eighth street; Holland place, twenty feet wide, from Parrish street north with extensions running east and west; Brinkley place, from Cherry street south with extensions running east and west: *Provided*, That before any of said streets shall be placed on the City plan, satisfactory evidence shall be furnished that the street has been laid out and opened prior to June 6, 1871, in accordance with Act approved May 23, 1893. All ordinances or parts of ordinances inconsistent herewith be, and the same are repealed.

Approved this thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the grading of Wood, Arlington, Twenty-fifth, Thirty-second, Thirty-first, Sixtieth and Markoe streets; Bickley and Kensington avenues," approved the eighth day of July, 1891.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*. That the ordinance entitled "An Ordinance to authorize the grading of Wood, Arlington,

Twenty-fifth, Thirty-second, Thirty-first, Sixtieth and Markoe streets; Bickley and Kensington avenues," be, and the same is hereby amended so far as the same relates to Wood street, from Green lane to Leverington avenue, by striking out the words and figures "eight hundred and fifty (850) dollars" and inserting the words and figures "twenty-six hundred (2600) dollars" so it shall read "Wood street, from Green lane to Leverington avenue, the cost not to exceed twenty-six hundred (2600) dollars."

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To place on the city plan Bockius, Clementine, Lippincott, Wishart, Grove, Joyce, Archer, Rush, Rhawn, and West Loudon streets; Cheltenham, Euclid, and Mt. Airy avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be directed to place on the city plan Bockius street, forty feet wide, from Locust avenue to Stenton avenue; Clementine, Lippincott, and Wishart streets, each thirty feet wide, from Thirteenth street to Park avenue; Grove street, forty-five feet wide, from Reed street to about one hundred feet northward; Grove street, forty-five feet wide, from Gray's Ferry road to Wharton street; Joyce street, thirty feet wide, from Kettlewell to Ontario street; Archer street, fifty feet wide, from Manheim to Clapier street; Rush street, thirty feet wide, from Boudinot to D street; Rhawn street, seventy feet wide, from Bustleton turnpike to Delaware avenue; West Loudon street, forty feet wide, from Germantown avenue to Greene street; Cheltenham avenue, sixty feet wide, from Tenth to Eleventh street; Euclid avenue, thirty-three feet wide, from Sedgely avenue to Thirty-first street; Mt. Airy avenue, forty feet wide, from Germantown avenue to Cresheim street: *Provided*, That the owners of ground within the lines of said streets, except on Rhawn street, shall first dedicate the same as public high-

ways, or shall first file a bond or enter into a written agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may arise, or covenanting and agreeing to obtain releases from all such owners of all damages that may arise by reason of the placing and opening of the same before this ordinance shall go into effect.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the striking from the City plan of Montgomery avenue, from Second to Hancock street, in the Nineteenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to strike from the City plan Montgomery avenue, from Second to Hancock street, in the Nineteenth Ward.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the paving of Frankford avenue, Thirtieth, Gurney, Magnet and Fifty-fifth streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with granite, Pennsylvania or Lambertville blocks, viz.: Frankford avenue, from Harrowgate lane to a point one hundred and seventy



(170) feet southwest of Juniata avenue, at a cost to the City not to exceed fifteen thousand (15,000) dollars; Thirtieth street, west side, from Walnut to Locust street, at a cost to the City not to exceed five hundred (500) dollars. The following streets with vitrified paving bricks, viz.: Gurney street, from Leamy street to Lehigh avenue, at a cost to the City not to exceed seven hundred (700) dollars; Magnet street from Gay street to Lyceum avenue, at a cost to the City not to exceed four hundred (400) dollars; The following street with sheet asphaltum, broken stone base and binder: Fifty-fifth street, from Haverford avenue to Westminster avenue, at a cost to the City not to exceed five hundred (500) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the thirty-first day of March, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To revise the lines and grades of Meadland avenue, between Marston and South streets, in the Twenty-seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of Meadland avenue, between Marston and South streets, in the Twenty-seventh Ward: *Provided*, The owners of ground affected shall first dedicate to the City the ground covered by said Meadland avenue in the new location adjoining the Junction Railroad.

SECT.2 Upon the dedication of the said Meadland avenue in the new location, the said street in the old location shall be stricken from the City plan and vacated.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the Director of the Department of Public Works to draw, and the City Controller to countersign, certain warrants in payment of bills for necessary work done in excess of limit of contracts.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to draw, and the City Controller to countersign warrants in favor of the following named parties and for the necessary work done by same in excess of amounts limited in contracts, viz: John M. Mack, paving intersections of Pennock street between Brown street and Pennsylvania avenue, eighty-nine (89) dollars and nineteen (19) cents; paving in front of exempt property on Titan street east from Twenty-seventh street, three hundred and fifteen (315) dollars; The Mack Paving Company, paving in front of exempt property, northwest side of Penn street, two hundred and eighty-nine feet six and one-half inches southwest of Chew street, six hundred and forty-five (645) dollars and ninety-four (94) cents; paving intersections of Twenty-third street from Oakford to Dickinson street, three hundred and eighty-seven (387) dollars and four (4) cents; repaving on Rittenhouse street from Green to Wayne street, two hundred and forty-seven (247) dollars and fifty-six (56) cents; repaving on Ontario street from Sixteenth to Nineteenth street, one hundred and thirty-four (134) dollars and fifty (50) cents; repaving Selfridge street between Fitzwater and Bainbridge streets, ninety-nine (99) dollars and thirty-five (35) cents; The Vulcanite Paving Company, repaving Berks street from Twelfth to Broad street, four hundred and fifty-eight (458) dollars and eighty-five (85) cents; Amboy street, from Columbia avenue

to Montgomery street, thirty-three (33) dollars and eighty-five (85) cents; Thirty-seventh street from Market street to Woodland avenue, nine (9) dollars and thirty-five (35) cents; Thomas Cunningham, paving intersections on Fairhill street from Wolf to Argyle street, sixty-five (65) dollars and thirty-six (36) cents; Reese street, from Wolf to Argyle street, sixty-five (65) dollars and thirty-six (36) cents; Michael O'Rourke, paving on Gurney street from Third to Fourth street, thirteen hundred and seventy-nine (1379) dollars and sixty-four (64) cents; intersections at American and Indiana streets, one hundred and ninety-three (193) dollars and six (6) cents; Market plots on York street between Cedar and Commerce streets, five hundred and two (502) dollars and eighty-eight (88) cents; William C. Watson, grading Norris street from Thirty-second to Thirty-third streets, one hundred and thirty-eight (138) dollars and fifty (50) cents. The above amounts for paving to be taken from Item 2, for paving intersections and unassessable property; that for grading, out of Item 6, for grading; those for repaving to be taken from Item 26, for repaving with improved pavement streets not occupied by passenger railways, in the annual appropriation to the Department of Public Works, Bureau of Highways.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to Item 25, in the annual appropriation to the Department of Public Works, Bureau of Highways, to pay certain bills.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixteen thousand one hundred and twenty two (16,122) dollars, and two (2) cents, be and the same is hereby appropriated to new Item 25, in the annual appropriation to the Department of Public Works, Bureau of Highways, for the year 1894, to pay the following bills, viz :

Thomas Parker, for repairs to footways and putting in curved curb corners in the First District, two thousand and seventy (2,070) dollars and seventy-five (75) cents.

Carnell C. Mahoney, for repairs to footways and putting in curved curb corners, in the Second District, one thousand four hundred and ninety-eight (1,498) dollars and eighty-four (84) cents.

John Donnelly & Co., for repairs to footways in the Fourth District, three hundred and ninety-two (392) dollars and two (2) cents.

David McMahon, for repairs to footways and putting in curved curb corners in the Fifth District, four thousand three hundred and fifty-five (4,355) dollars and eighty-nine (89) cents, and for repaving over ditches in the eleventh section, twenty-four (24) dollars and three (3) cents; four thousand three hundred and seventy-nine (4,379) dollars and ninety-two (92) cents.

The Mack Paving Company, for repairs to vitrified brick streets, in excess of contract, one hundred and thirty-nine (139) dollars and sixty (60) cents; repaving tramway streets in excess of contract, seven thousand six hundred and forty (7,640) dollars and eighty-nine (89) cents; seven thousand seven hundred and eighty (7,780) dollars and forty-nine (49) cents.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize a temporary loan for the sum of one hundred and thirty-eight thousand five hundred and sixty-six dollars for the purpose of fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors by the Commissioners for the erection of the Public Buildings.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Treasurer, under the supervision of the Committee on Finance, is hereby au-

thorized to borrow on the credit of the City of Philadelphia, a sum not exceeding one hundred and thirty-eight thousand five hundred and sixty-six dollars, for the purpose of fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors, by the Commissioners for the erection of the Public Buildings, redeemable at or within four months of the date of said loan ; for which sum so borrowed, certificates of City debt shall be issued in the form prescribed in existing ordinances, bearing interest at a rate not exceeding four per centum per annum, and which shall be transferable in the same manner as other certificates of said debt.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To approve the supplemental contract and surety of John Bonhage, for constructing a main sewer on Ormes street from Indiana avenue to Allegheny avenue, to Rosehill street, to Tioga street, and the contract and surety of the Southwark Foundry and Machine Company, for furnishing three (3) twenty (20) million gallon pumping engines to the Bureau of Water of the Department of Public Works and erecting the same in an engine house in East Fairmount Park.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the supplemental contract of John Bonhage for constructing a main sewer on Ormes street, from Indiana avenue to Allegheny avenue, to Rosehill street, to Tioga street be, and the same is hereby approved, and that The Equitable Trust Company be, and it is hereby approved as the surety of the said John Bonhage for the faithful performance of the said supplemental contract ; and that the contract of The Southwark Foundry and Machine Company, for furnishing three (3) twenty (20) million gallon pumping engines to the Bureau of Water of the Department of Public Works and erecting the same in an engine house in East Fairmount Park be, and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company

be, and it is hereby approved as the surety on the bond accompanying the said contract to secure the faithful performance of the same.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize a certain transfer in the annual appropriation to the Department of Public Safety, Bureau of Police, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and is hereby authorized and directed to make the following transfer in the annual appropriation to the Department of Public Safety, Bureau of Police, for the year 1894; from Item 14, for repairs and miscellaneous expenses of boats, etc., nine hundred and fifteen (915) dollars, to Item 14½, for repairs to Tug Visitor.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia*

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### AN ORDINANCE

To make an appropriation to Item 4 in the annual appropriation to the Commissioners of Fairmount Park for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of fifty thousand (50,000) dollars be, and the same is hereby appropriated to Item 4, General Maintenance, in the Annual appropriation to the Commissioners of Fairmount Park for the year 1894.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To provide for the repaving with improved pavement, of all streets used by passenger railway companies for conduits or tubes, or for electrical purposes, and not occupied by their tracks.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That in all cases where permission has been granted or shall be hereafter granted to any passenger railway company or companies, to open a street not occupied by their tracks, in order to lay conduits or tubes for electrical purposes, such company or companies shall repave such street or streets with improved pavement, and keep the same in repair so long as the said street or streets shall be occupied by such underground structures.

Approved this third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To authorize the Department of Public Works to extend the contracts for grading Ruan street, from Penn to Adams street, and Leiper street, from Pine to Adams street, Twenty-third Ward, by including the grading of sidewalks.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to extend the contracts for grading Ruan street, from Penn to Adams street, and Leiper street, from Pine street to Adams street, in the Twenty-third Ward, by including the grading of the sidewalks, including the slopes necessary to retain the same, and to pay the cost of said work out of Item 6, for grading, in the annual appropriation to the Department of Public Works, Bureau of Highways.

SECT. 2. Upon the completion of the work of grading said sidewalks, the Director of the Department of Public Works is authorized to estimate the cost and expense of the same, including the filling of slopes necessary to retain the sidewalks,

and assess the cost and expense against the properties in front of which the work shall have been done, in the name of the registered owner or owners thereof, and shall then cause one bill to be served on the registered owner or owners, or, in case he or they cannot be found, the same shall be left upon the premises, and another copy of said bill shall be forwarded to the City Solicitor, and if the same be not paid within thirty (30) days from the service upon the owners of property, a lien therefor shall be filed in the proper Court against the respective parties.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Repealing so much of the ordinance entitled "An Ordinance to authorize the opening of Sixty-eighth, Seventieth and Indiana streets; Fairmount and Erie avenues, and Sixty-sixth avenue, north," approved the 8th day of November, 1892, as authorizes the opening of Erie avenue from Old Front street to Second street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance entitled "An Ordinance to authorize the opening of Sixty-eighth, Seventieth and Indiana streets; Fairmount and Erie avenues, and Sixty-sixth avenue, north," approved the 8th day of November, 1892, as authorizes the opening of that portion of Erie avenue, from Old Front street to Second street, be, and the same is hereby repealed.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To revise the lines and grades upon the City plan of all streets in the territory embraced between Cumberland street on the north and Aramingo canal on the south, and east of Richmond street, and to vacate and strike from the City plan Delaware avenue from Shackamaxon street to Cumberland street, Ball, Norris, Plum, York, and Rush streets, east of Richmond: Beach street, from a point near Aramingo canal northeast to the north side of Cumberland street; Clayborne, from Plum to Ball street, and Artisan street, from East Norris street to Ball street; and to widen Richmond street on the westerly side, from the north line of Cumberland street to the angle northeast of the Aramingo canal to the width of one hundred and twenty (120) feet, and to place on the plan a new street from the angle northeast of the Aramingo canal to Beach street; to widen Cumberland street on the southwestwardly side to a width of one hundred and twenty (120) feet from the northwestwardly line of Richmond street, to the northwestwardly line of Aramingo canal; to locate and place upon the City plan a street one hundred (100) feet wide to be called Aramingo avenue, from the intersection of East Girard avenue and Ash street to the southwestwardly side of Cumberland street near Thompson street; to widen Norris street on the southwestwardly side to a width of one hundred (100) feet from Richmond street to Moyer street; to locate and place upon the City plan a street one hundred (100) feet wide on the bed of Aramingo canal from the southwardly side of Beach street to East Girard avenue, and from the northeastwardly side of Cumberland street to Somerset street; to strike from the City plan and vacate Aramingo canal from East Norris street northward to the line of proposed Aramingo avenue near Cumberland street; to revise the lines and grades upon the City plan of all streets in the vicinity that may be affected by the opening, widening and vacating of the streets aforesaid; to provide for the removal of the railroad tracks now on Beach and Cumberland streets; to provide for the entrance of security by the City of Philadelphia, and to direct the making of the physical changes required to carry this ordinance into effect.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain, That the Department of Public*

Works be, and is hereby authorized and directed to revise the lines and grades upon the City plan of all streets in the territory between Cumberland street and Aramingo canal east of Richmond street, and to vacate and strike from the City plan Delaware avenue, from Shackamaxon street to Cumberland street, Ball, East Norris, Plum, York, and Rush streets from Richmond street to Beach street; Clayborne, from Plum to Ball street, and Artisan street, from East Norris street to Ball street; Beach street, from a point near Aramingo canal to the northeast side of Cumberland street, and so much of Cumberland street as forms the intersection with Beach street; and to widen Richmond street on the westerly side from the north side of Cumberland street to the angle northeast of the Aramingo canal, to the width of one hundred and twenty (120) feet, and to place a new street one hundred and twenty (120) feet wide upon the City plan from angle northeast of Aramingo canal to Beach street; the widening and extension of Richmond street, to be made in such manner as to place the least expense upon the City, and the present curb line on the east side shall be the easternmost line of the widened street, and to revise the lines and grades and widen Cumberland street on the southwestwardly side thereof to a width of one hundred and twenty (120) feet, from Richmond street to Aramingo canal; to locate and place upon the City plan, on the bed of Aramingo canal, a street one hundred (100) feet wide, to be named Aramingo avenue, from the southwest side of Beach street to the intersection of Norris street with East Girard avenue, and from Cumberland street to Somerset street; to place upon the City plan a street one hundred (100) feet wide, from the intersection of East Girard avenue and Ash street to Cumberland street, to be named Aramingo avenue, by locating the said avenue to extend from East Girard avenue and Ash street to the northwestwardly side of East Norris street; by revising the lines and widening Moyer street from East Norris street to York street on the southeasterly side thereof to the width of one hundred (100) feet; by locating upon the City plan the said avenue from York street to Cumberland street; to revise the lines and grades, and widen Norris street on the southwestwardly side thereof to the width of one hundred (100) feet, from Richmond street to Moyer street; to strike from the City plan and vacate Aramingo canal, from East Norris street northward to the line of the proposed Aramingo avenue near Cumberland street; and to authorize the

revision of the lines and grades of all streets in the vicinity in any wise affected by the location, widening and vacating of streets herein provided for, and such other revisions as may be necessary to perfect the City plan in that locality.

SECT. 2. The Mayor of the City of Philadelphia is hereby authorized from time to time, as required, to carry into effect the provisions of this ordinance, to enter security on behalf of the City of Philadelphia for the payment of any and all damages which may arise by reason of the revision of the lines and grades, the taking and condemnation of any property, and the vacation of streets, and any or all of the changes required by this ordinance. As soon as the City plans shall have been confirmed by the Board of Surveyors, the Department of Public Works is hereby authorized and directed to give the proper three months' legal notice to property owners, and to proceed with the work of making the physical changes hereby authorized as rapidly as possible, and separately or together until all of said streets shall have been laid out and opened, and all streets to be vacated shall be vacated and closed to public use as hereinbefore provided.

The Mayor of the City of Philadelphia and the Director of Public Works be, and they are hereby authorized to vacate and close to public use Aramingo canal, from East Norris street northward to the line of the proposed Aramingo avenue near Cumberland street as soon as the Pennsylvania Railroad Company, and the River Front Railroad Company shall dedicate to public use so much of its ground as shall be required for the opening of Richmond street and the extension of East Girard avenue by the widening of Moyer street as hereinbefore provided.

SECT. 3. The Pennsylvania Railroad Company, the River Front Railroad Company and the Philadelphia and Reading Railroad Company, in so far as they may be affected by the changes required by this ordinance, are hereby given and granted the same rights and privileges over and upon the proposed Aramingo avenue between Beach street and Richmond street, and on Richmond street, from Aramingo avenue to Cumberland street, which they now enjoy on Beach street north of Aramingo canal, and on Cumberland street between Richmond and Beach streets, so that the said several railroad companies shall have and enjoy equal facilities and privileges on the said proposed Aramingo avenue from Beach street to

Cumberland street as are now conferred on them and enjoyed by them under existing laws and ordinances ; on Beach street northeast of Aramingo canal, and on Cumberland street between Beach street and Richmond street, and shall have the right to construct their tracks upon said Aramingo avenue and Richmond street, from Beach street to Cumberland street, without additional legislation of Councils, and the Mayor and Department of Public Works are hereby authorized to permit said railroad companies to make and lay such turnouts and sidings as shall be necessary to enable them to receive and deliver freight to Aramingo avenue and Richmond street from the junction of said Aramingo avenue and Beach street to the junction of widened Richmond street and Cumberland street into and upon abutting properties : *Provided*, All the railroads named in this section shall, prior to using said Aramingo avenue and Richmond street, severally agree to surrender to the City of Philadelphia such rights and privileges as they now enjoy upon Beach street northeasterly of Aramingo canal, and on Cumberland street from Beach street to Richmond street, immediately ; it being understood and agreed that the tracks of the River Front Railroad shall first be located, provided the location is made within one year from the approval of this ordinance, upon the said new street between Beach and Richmond streets, and upon Richmond street, between the Aramingo canal and Cumberland street as will give them equal facilities to reach the manufactories along said streets, to what they enjoy at present upon said Beach and Cumberland streets : *Provided*, That nothing herein contained shall interfere with the location of the tracks of the Philadelphia Belt Line Railroad, provided for in Section 4.

SECT. 4. The Philadelphia Belt Line Railroad Company is hereby authorized and empowered to re-locate and lay its tracks from Beach street and Aramingo avenue along the northeasterly side of Aramingo avenue, and along the southeasterly side of Richmond street to Cumberland street, and thence along the southwestwardly side of Cumberland street to Aramingo avenue, with the privileges of elevating its tracks from Richmond street along the side of Cumberland street so as to connect the same with its proposed elevated railroad on said Aramingo avenue above Cumberland street, and to cross Cumberland street so as to connect its tracks with the tracks of the Philadelphia and Reading Railroad Company ;

and the Mayor and the Director of Public Works are authorized to permit such changes in the line of said road as shall effectually carry out this provision without any additional legislation of Councils, and to permit said railroad to make and lay such turnouts and sidings as shall be necessary to enable said Railroad Company to deliver freight on said Aramingo avenue and Richmond street: *Provided*, That the said Railroad Company shall first agree to surrender such rights and privileges as it now enjoys or is lawfully entitled to upon Beach street north of Aramingo canal, and also on Aramingo canal or street between Richmond street and Cumberland street. It is hereby understood and agreed that the Philadelphia Belt Line Railroad Company's tracks shall be located next to the curb line along the southeasterly side of widened Richmond street.

SECT. 5. The William Cramp & Sons Ship and Engine Building Company is hereby authorized and empowered to locate and lay a switch or siding on Cumberland street from Beach street to Richmond street, so as to connect their works with the railroad tracks of either the Philadelphia Belt Line Railroad, the River Front Railroad, the Philadelphia and Reading Railroad, or the Pennsylvania Railroad tracks, to best promote their business interests. Plans for the same to be first approved by the Department of Public Works.

SECT. 6. The William Cramp & Sons Ship and Engine Building Company shall agree that they will make no claims for damages for property taken or injuries sustained by widening, extending or opening any of the said streets or avenues, or the vacation of the streets, or because of any changes herein authorized, and the City of Philadelphia hereby release the William Cramp & Sons Ship and Engine Building Company in consideration thereof of all claims for benefits by reason of the same.

SECT. 7. All ordinances or parts of ordinances inconsistent herewith or rendered unnecessary by this ordinance be, and they are hereby repealed.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the Director of the Department of Public Works to draw, and the City Controller to countersign warrants, in favor of W. B. M. Conklin for the construction of sewer in Perkiomen street, from Francis to Wylie street; and in favor of Geo. W. Ruch, for the construction of sewers in Walnut street, between Broad street and Fifteenth street, New Market street, between Willow street and Brown street, Nice street, between Baker street and McFerran street, and on McFerran street between Nice street and Broad street, and also in Howard street, between a point about eighty-three (83) feet south of Susquehanna avenue and York street; and in favor of Chas. D. Land for the construction of sewers in Wellington street between Richmond street and Edgemont street, and on Richmond street between Westmoreland street and Wellington street; also, Trenton avenue between Susquehanna avenue and Abigail street, and on Abigail street between Trenton avenue and Amber street; and in favor of John F. Pugh for the construction of sewers in Franklin street between Berks street and Norris streets, Brainbridge street between Twentieth street and Twenty-first street, Culvert street between Frankford avenue and Trenton avenue, and Chestnut street between Thirty-second and Thirty-third streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized to draw, and the City Controller is requested to countersign warrants in favor of W. B. M. Conklin for the sum of one hundred and thirty-eight (138) dollars and forty-five (45) cents, to pay for the construction of a sewer under contract of September 20th, 1892, in front of the property for the Home for Aged Couples on Perkiomen street, between Francis street and Wylie street, said property being exempt from municipal assessment; in favor of Geo. W. Ruch, for the sum of twelve (12) dollars to pay for cost incurred by him in executing his contract of June 14th, 1892, for sewer in Walnut street between Broad street and Fifteenth street, which it was found necessary to re-advertise and was afterwards awarded to another party; for the sum of thirty (30) dollars, to pay for the construction of a sewer under contract of June 14th,

1892, in New Market street between Willow street and Brown street, deficiency being due to the fact certain properties proved to be unassessable; for the sum of one hundred and thirty (130) dollars and seventy-eight (78) cents, to pay for the construction of a sewer under contract of March 10th, 1893, in Nice street between Baker and McFerran street, and in McFerran street between Nice street and Broad street, deficiency being due to the changes in assessable property between the time of the original estimate and the completion of the sewer; and also for the sum of fifty-four (54) dollars and five (5) cents, to pay for the construction of a sewer under contract of June 16th, 1893, in Howard street from a point about eighty-three feet south of Susquehanna avenue to York street, deficiency being due to the fact that in order to connect with the brick work of the old sewer it was necessary to increase the length of the sewer built, and owing to the introduction of extra house connections; in favor of Chas. D. Land for the sum of one hundred and fifteen (115) dollars for the construction of a sewer under contract of March 10th, 1893, in Wellington street between Richmond street and Edgemont street, and on Richmond street between Westmoreland street and Wellington street, deficiency being due to the necessity for repaving over the trench for which an additional allowance was made in accordance with the terms of the contract; in favor of John F. Pugh, for the sum of thirty-five (35) dollars and ninety (90) cents, for the construction of a sewer under contract of December 8th, 1893, in Franklin street between Berks street and Norris street, deficiency being due to the necessity for placing extra laterals for house connections and extra ventilating pipe not provided for in the original estimate; for the sum of seventy-nine (79) dollars and forty-eight (48) cents, for the construction of sewer under contract of March 10th, 1893, in Bainbridge street between Twentieth street and Twenty-first street, deficiency being due to the necessity of constructing a greater length of sewer in order to make proper connections with the old sewer; for the sum of sixty-seven (67) dollars and twenty (20) cents, for the construction of a sewer under contract of May 16th, 1893, in Culvert street between Frankford avenue and Trenton avenue, deficiency being due to the change in old frontages resulting in deductions between the time of making the original estimate and the construction of the sewer; for the sum of forty-seven

(47) dollars and forty-three (43) cents, for the construction of a sewer under contract of September 14th, 1893, in Chestnut street between Thirty-second street and Thirty-third street, deficiency being due to the necessity for repaving over the sewer trench in the Fall of 1893 to secure safety to the public, which repaving was not included in the original contract, as it was expected to be done by the Passenger Railway Company: the sums for which these warrants are drawn to be charged against the appropriation for branch sewers in the annual appropriation to the Department of Public Works (Bureau of Surveys).

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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#### AN ORDINANCE

To increase the limit of cost in the contract for grading Wyoming avenue, from Kensington and Oxford turnpike to F street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the limit of the contract for grading Wyoming avenue, from Kensington and Oxford turnpike to F street, be and the same is hereby increased from seven thousand (7000) dollars to eleven thousand six hundred (11,600) dollars, and the City Solicitor is directed to have the said contract amended in accordance with the provisions of this ordinance.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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#### AN ORDINANCE

To strike Silver street, from Gurney street to Leamy street, from the City plan.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public



Works be, and is hereby authorized to strike from the City plan Silver street, between Gurney street and Leamy street, in the Thirty-third Ward: *Provided*, That the owners of property on the line of said street first enter into a satisfactory agreement releasing the City from all damages by reason of the striking of said street from the plan.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894, for the purpose of fitting up the Council Chambers and the appurtenant committee rooms, stairs, galleries and corridors.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and thirty-eight thousand five hundred and sixty-six (138,566) dollars be, and the same is hereby appropriated out of temporary loan to the Commissioners for the erection of the Public Buildings for the purpose of fitting up the Council Chambers and the appurtenant committee rooms, stairs, galleries and corridors, apporportioned in manner following, viz.: For mill work, five thousand nine hundred and eighty-six (5,986) dollars; hardware, four hundred (400) dollars; glass, one hundred and twenty-five (125) dollars; stone work, sixty thousand (60,000) dollars; tiling walls and mosaic floors, ten thousand seven hundred and ninety-six (10,796) dollars; plastering, not including scaffolding, twenty-four thousand six hundred (24,600) dollars; Neufchatel asphalt floors, five thousand one hundred and nine (5,109) dollars; iron work, structural and ornamental, sixteen thousand (16,000) dollars; heating and ventilation, three thousand two hundred (3,200) dollars; telephone wiring, three hundred and fifty (350) dollars; electric light installation, seven thousand (7,000) dollars; plumbing and gas fitting, five thousand (5,000) dollars, and balance at the end of the year 1894 shall not merge.

*Provided*, That all work and materials necessary for the completion and furnishing of these buildings shall be advertised for not less than three times in three daily newspapers of this City, and that all bids for the same be opened and contracts awarded at the regular or special meetings of the Commission to the lowest and best bidder.

All warrants shall be drawn by the Commissioners for the erection of the Public Buildings in conformity with existing ordinances.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the opening of Torresdale avenue and Forty-first street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice, said streets will be required for public use, viz: Torresdale avenue, from Rhawn street to Ashburner street; and Forty-first street, to the full width as now laid down on the City plan, from Ogden street to Westminster avenue.

SECT. 2. The Mayor of the City is hereby authorized and directed to enter security on behalf of the City of Philadelphia, for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said streets.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the creation of a loan by the City of Philadelphia of three million (3,000,000) dollars for purchasing school lots and erecting school buildings, extensions of water works, extensions of gas works, and the construction of main sewers, branch sewers, and new bridges.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor of the City of Philadelphia be, and is hereby authorized to borrow from the highest bidder, at not less than par, on the faith and credit of the City of Philadelphia, the sum of three million (3,000,000) dollars for the following purposes, viz: Seven hundred and fifty thousand (750,000) dollars for the purchase of lots and the erection of buildings for school purposes; three hundred and sixty thousand (360,000) dollars for extensions of the water works; three hundred and fifty thousand (350,000) dollars for extensions of the gas works; five hundred thousand (500,000) dollars for the construction of main sewers; three hundred thousand (300,000) dollars for the construction of branch sewers; and seven hundred and forty thousand (740,000) dollars for the construction of new bridges.

SECT. 2. Interest on the said loan at a rate not exceeding four per centum per annum shall be paid by the City half-yearly on the first day of the months of January and July, at the office of the fiscal agency of the City of Philadelphia. The principal of said loan shall be divided into twenty series of one hundred and fifty thousand (150,000) dollars each, alphabetically arranged, and each series shall be paid annually on the thirty-first day of December, at said office, until the whole shall be paid, commencing with Series "A," which shall be paid on the thirty-first day of December, 1904. The certificates of said loan shall be in the usual form, in such amounts as the lenders may require, in sums of one hundred dollars and its multiple; and it shall be expressed in said certificates that the loan therein mentioned and the interest thereof are payable in lawful money of the United States, free from all taxes.

SECT. 3. Whenever any loan shall be created by virtue of this ordinance, there shall be thereafter annually appropriated out of the income of the City of Philadelphia and from the

money raised by taxation a sum sufficient to pay the interest on said loan, and after the loan shall become payable there shall be annually appropriated for the payment of the principal the sum of one hundred and fifty thousand (150,000) dollars.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the creation of a loan by the City of Philadelphia for the sum of one million one hundred thousand (1,100,000) dollars for repaving with improved pavements streets not occupied by passenger railways, main sewers, and extensions of the gas works.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor of the City of Philadelphia be, and he is hereby authorized to borrow from the highest bidder, at not less than par, on the faith and credit of the City of Philadelphia, the sum of one million one hundred thousand (1,100,000) dollars for the following purposes, viz: Four hundred and ten thousand (410,000) dollars for repaving with improved pavement streets not occupied by passenger railways, four hundred and forty thousand (440,000) dollars for main sewers, and two hundred and fifty thousand (250,000) dollars for extensions of the gas works.

SECT. 2. Interest on the said loan at a rate not exceeding 4 per centum per annum shall be paid by the City half-yearly, on the first day of the months of January and July, at the office of the fiscal agency of the City of Philadelphia. The principal of said loan shall be divided into twenty series, of fifty-five thousand (55,000) dollars each, alphabetically arranged, and each series shall be paid annually on the thirty-first day of December at said office until the whole shall be paid, commencing with series "A," which shall be paid on the thirty-first day of December, 1904. The certificates of said loan shall be in the usual form, in such amounts as the lenders may require, in sums of one hundred dollars and its multiple;

and it shall be expressed in said certificates that the loan therein mentioned, and the interest thereof, are payable in lawful money of the United States, free from all taxes.

SECT. 3. Whenever any loan shall be created by virtue of this Ordinance there shall be thereafter annually appropriated out of the income of the City of Philadelphia, and from the money raised by taxation, a sum sufficient to pay the interest on said loan, and after the loan shall become payable there shall be annually appropriated for the payment of the principal the sum of fifty-five thousand (55,000) dollars.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To turn over a plot of ground, adjoining the David Wilmot Public School, in the Twenty-third Ward, belonging to the City, to the Board of Public Education.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the plot of ground belonging to the City of Philadelphia, at the westerly corner or intersection of Mulberry and Meadow streets, and adjoining the David Wilmot Public School, in the Twenty-third Ward, be transferred to the Board of Public Education for public school purposes.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To relay water pipe in Cuthbert street east of Eleventh street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public

Works be authorized to take up the three (3) inches water pipe in Cuthbert street east of Eleventh street and relay with six (6) inch water pipe.

Approved the third day of April A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance granting certain privileges to the Hestonville, Mantua and Fairmount Passenger Railroad Company, approved March 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance granting the Hestonville, Mantua and Fairmount Railroad Company permission to use electric motors, etc., approved March 30, 1893, be altered and amended by including the following streets, viz: "Race street, between Second and Third streets; Walnut street, between Second and Dock streets; Dock street, between Walnut and Third streets." The said Company shall first pay fifty (50) dollars into the City Treasury to pay for the printing of this ordinance.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the changing of the name of Elm avenue to Park Side avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the name of Elm avenue, in the Twenty-fourth and Thirty-fourth Wards, be changed to Park Side avenue.

Approved the third day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Authorizing and directing the Mayor and Director of the Department of Public Safety to offer at public sale the school property on Master street between Second and American streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor and the Director of the Department of Public Safety are hereby authorized and directed to offer at public sale the old Harrison school house property on the south side of Master street between Second and American streets. Said sale to be subject to confirmation by Councils. The amount realized from said sale to be placed in the City Treasury, subject to appropriation by Councils for school purposes.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Amendatory to an ordinance entitled "An Ordinance providing for the protection of persons engaged in keeping in repair the poles and fire-alarm and other telegraph lines in the City of Philadelphia," approved April 14, 1866.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance providing for the protection of persons engaged in keeping in repair the poles and fire-alarm and other telegraph lines in the City of Philadelphia," approved April 14, 1866, be so amended as to apply with equal force and effect to all trolley poles, electric light poles, or other poles used in any electrical construction, or erected for any lawful purpose whatever. The penalty for violation of this ordinance shall be a fine of five (5) dollars for each and every offence, to be collected as like penalties are now by law collectible.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART.

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the Germantown Electric Light Company to place wires and fixtures on city poles on Germantown avenue, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Germantown Electric Light Company be, and is hereby authorized to place wires and fixtures on sixteen (16) poles of the City of Philadelphia on Germantown avenue from corner of Seymour street to Wayne Junction, in the Twenty-second Ward; the said wires and fixtures to be erected under the supervision of the Department of Public Safety, and shall be subject to the approval of said Department: *Provided, however*, That said Company shall first agree to comply with the provisions of the ordinance regulating and establishing license charges for wires and fixtures erected on poles belonging to the City. The said wires and fixtures to be removed by said Company within sixty (60) days after notice has been given to that effect by the Department of Public Safety.

The said Germantown Electric Light Company shall, before exercising any privilege under this ordinance, first pay fifty (50) dollars into the City Treasury for the printing thereof.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the lease of premises 1523, 1525 and 1527 Bainbridge street, for the use of the Bureau of Fire.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Safety be, and is hereby authorized to lease from the Fidelity Market Company the premises 1523, 1525 and 1527 Bainbridge street, for the term of four months from April 1, 1894, at the rent of one hundred and fifty (150) dollars per month, and at the same rent per month if required



after expiration of the above term, the City to give ten days notice of intention to vacate, and the said rent to be paid out of Item 10 in the annual appropriation to the Department of Public Safety, Bureau of City Property, for the year 1894.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To revise the lines and grades of Plan No. 289, and a portion of Plan No. 231, in the Twenty-first Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of Plan No. 289, and that portion of Plan No. 231, bounded by Fountain street, Smick street, Jefferson street, Hamilton street, Green lane and Main street, in the Twenty-first Ward.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the opening of Seventh, Tulip, Eleventh, Mill, Sullivan, and Twentieth streets, and Mermaid avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice said streets will be required for public use: *Provided*, That the owners of property abutting on or in the vicinity of said streets shall first file an agreement satisfactory to the City Solicitor, indemnifying the city against all damages that may be finally assessed

against the city by reason of the opening of said streets, viz : Seventh street, from Ritner to Old Second street ; Tulip street, from Venango to Tioga street ; Eleventh street, from Cambria street to Glenwood avenue ; Mill street, from Stenton avenue to Nineteenth street ; Sullivan street, from Stenton avenue to Cheltenham avenue ; Twentieth street, from Godfrey to Mill street ; Mermaid avenue, from Stenton avenue to the Philadelphia and Reading Railroad.

SECT. 2. Upon the owners of the property abutting on or in the vicinity of any of said streets indemnifying the city against all damages for the opening of such streets, the Mayor of the city is authorized and requested to enter security on behalf of the City of Philadelphia for the payment of any damages which may be assessed by reason of the opening of said streets ; upon the filing of said bonds and at the expiration of said three months the Director of the Department of Public Works shall forthwith proceed to open said streets : *Provided*, That no action shall be taken by the executive department for the opening of said streets until said bond of property owners shall be approved by the City Solicitor and filed in his office.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation for the relief of David McMahon, for paving in front of unassessable property.

WHEREAS, Under an ordinance approved October 12, 1885, the City of Philadelphia entered into a contract on the 17th of May, 1886, with David McMahon to pave Centre street, in the Twenty-second Ward, providing, among other things, that assessment bills on abutting property owners be accepted as cash, except for such property as should be found legally unassessable, limiting the amount of cost for unassessable property to nine hundred dollars, and

WHEREAS, the said David McMahon, previously to making a bid for the work, obtained from the proper department a list

of unassessable property, which did not contain the property of Susannah T. Ball, which the Courts have since decided the City should have included in its exempt list, and by which omission on the part of the City the said contractor was led into error in making his bid. *Therefore,*

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of nine hundred and twenty-four (924) dollars and sixteen (16) cents, the cost of the paving of the said unassessable property be, and is hereby appropriated to David McMahon, to be taken from the item for intersections in the annual appropriation to the Department of Public Works for 1894.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the construction of sewers in Abigail, Amber, Bainbridge, Brooks, Cambria, Church, Collom, Cumberland, Darien, Dauphin, Dickinson, Dudley, Filbert, Fourth, Gaul, Greene, Hadfield, Fifty-second, Hancock, Hazzard, Hoffman, Huntingdon, June, Kerr, Laurel, Lloyd, Mannheim, Marriott, Mercer, Mifflin, Morris, Nash, Ninth, Orchard, Palethorp, Queen, Randolph, Royal, Seymour, Spring, Twelfth, Venango, and York streets, Germantown, Glenwood, Gray's Ferry, Meehan, and Wyalusing avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works be authorized to construct the following sewers in accordance with plans and specifications to be approved by said Department, viz. : On Abigail street, from Amber street to dead end of sewer northwest of Amber street ; Amber street, from York street to Dauphin street : under the north and south sidewalks of Bainbridge street, from Broad street to Seventeenth street ; Brooks street, from Fairmount avenue to Green street ; Cambria street, from Warnock street to Eleventh street ; Church street, from Franklin street to Frankford avenue ; Collom

street, from Wakefield street to the P. & R. R. R., and on the line of Collom street, continued across private property to Wingohocking sewer at Bellfield avenue, and on Mercer street, from end of present sewer northwest of Collom street to Collom street; Cumberland street, from Hancock street to Palethorp street; Darien street, from Indiana street to Clearfield street; Dauphin street, from Belgrade street to Cedar street; Dickinson street, from Front street to Second street; Dudley street, from Nineteenth street to Twentieth street; Morris street, from Earham street to Queen street; Filbert street, to be built and assessed on the north side only, from Fifteenth street to Broad street; Fourth street, from Norris street to Berks street; Gaul street, from Norris street to York street; Greene street, from Queen street to Manheim street, and on Manheim street, from Greene street to Royal street; Greene street, from Manheim street to Seymour street, and on Seymour street, from Greene street to Royal street; Hadfield street, from the Philadelphia & West Chester R. R. to Fifty-second street, and on Fifty-second street, from Hadfield street to Whitby avenue, the properties on the northeast side of Fifty-second street only to be assessed; Hancock street, from Huntingdon to Cumberland street; Hazzard street, from Coral street to Kensington avenue; Hoffman street, from Nineteenth street to Twentieth street; Huntingdon street, from Thompson street to Richmond street; June street, from Seneca street to Westminster avenue; Kerr street, from Fifth street to Lawrence street; Laurel street, from Germantown avenue to Shoemakers court; Lloyd street, from Fitzwater street to Bainbridge street; Marriott street, from Eighth street to Ninth street; Misslin street, from Twelfth street to Thirteenth street; Nash street, from Ployd street to Haines street; Ninth street, from Dauphin street to York street; Orchard street, from Culvert street to north end of Orchard street; Orchard street, from George street to the north end of Orchard street; Palethorp street, from Diamond street to Norris street; Queen street, from Wayne street to Morris street; Randolph street, from Parrish street to Poplar street; Royal street, from Manheim street to Seymour street; Seymour street, from Morris street to Tacoma street; Spring street, from Waln street to small stream about one hundred and fifty feet west of Waln street; Twelfth street, from Cambria street to Glenwood avenue; Venango street, from Kensington avenue to Jasper street; York street, from Eleventh street to Twelfth street; German-

town avenue, from Gorgas street to Church street; Germantown avenue, from Mt. Pleasant avenue to Gorgas street; Glenwood avenue, from Eleventh street to Twelfth street; Gray's Ferry avenue, from Bainbridge street to South street; Meehan avenue, from summit southwest of Chew street to Germantown avenue; Wyalusing avenue, from Fifty-fourth street to Fifty-four-and-one-half street: *Provided*, The Department of Public Works shall not issue any permit for the drainage of property on the said Hadfield street and the southwest side of Fifty-second street until the regular frontage charges shall have been paid therefor.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12th, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of forty-seven thousand (47,000) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance, except on Collom and Hadfield streets, until the streets are on the City plan, legally opened, and all the property abutting thereon assessed to full City rates: *Provided, however*, That where the properties are assessed at less than full City rates, and the streets on the plans are opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding the owners to pay the regular assessment charges: *And provided, also*, That this Section shall not apply to the sewers on said Hadfield, Fifty-second and Collom streets continued.

SECT. 4. That the Mayor be authorized and requested to enter security on behalf of the City of Philadelphia, to indemnify the owners of private property through which the sewers on Hadfield street from the Philadelphia and West Chester Railroad to Fifty-second street, and on the line of Collom street continued, from the Philadelphia and Reading Railroad to the Wingohocking sewer, at Bellfield avenue, will pass, against damages by reason of the construction of said sewers.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To revise the grades of Duval street, from Morton to Nash street, and other streets affected thereby.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the grades of Duval street, from Morton to Nash street, and other streets affected thereby, so as to more nearly conform to the present surface of Duval street: *Provided*, That the owners of property affected by said revision shall first enter a satisfactory agreement not to claim damages by reason of said change of grade.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the revision of the lines and grades of the territory bounded by Lancaster avenue, the line of Malvern avenue extended, and Fifty-fourth street, in the Thirty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to revise the lines and

grades of that portion of the City plan bounded by Lancaster avenue, the line of Malvern avenue extended, and Fifty-fourth street, in the Thirty-fourth Ward.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize the revision of the lines and grades of a portion of Plan No. 164, in the Thirty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works (Bureau of Surveys) be, and is hereby authorized to revise the lines and grades of the portion of Plan No. 164 bounded by Wharton street, Twenty-second street, Tasker street, and Thirty-third street, in the Thirty-sixth Ward.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To change the width of sidewalk of Twentieth street, from South College avenue to Girard avenue, in the Twenty-ninth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized and directed to change the width of Twentieth street, from South College avenue to Girard avenue, in the Twenty-ninth Ward, so that the width of the sidewalks shall be ten (10) feet each instead of twelve (12) feet, and so that the total width of the said street shall be forty-six (46) feet instead of fifty (50) feet, as at present confirmed.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the widening of Passyunk avenue, from Penrose Ferry avenue to Twenty-fifth street, and Point Breeze avenue, from Morris to Twenty-eighth street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to widen Passyunk avenue to the width of seventy-five (75) feet, from Penrose Ferry avenue to Twenty-fifth street, the additional width to be taken from the southerly side; also, to widen Point Breeze avenue to the width of sixty feet, from Morris to Twenty-eighth street, the additional width to be taken equally from each side.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the Department of Public Works to change the location of Frankford creek, between "K" street and "N" street, in the Thirty-third and Thirty-fifth Wards.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to change and alter the present line of Frankford creek, between "K" street and "N" street, in the Thirty-third and Thirty-fifth Wards, in such a manner as to locate the channel of the creek south of Wyoming avenue, thereby admitting of the said Wyoming avenue being graded without the construction of two bridges.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize the widening of Thirty-second street, between Oxford and Guest streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to widen Thirty-second street five feet on the west side between Oxford and Guest streets, in the Twenty-ninth Ward.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize the grading of Berkley, Cedar, Oakland, Margaret, Unruh, Clearfield, Cumberland, Thirtieth, Suplee, Fifty-fifth, Fifty-sixth, Fifty-seventh and Whitby streets; Frankford, Greenway, Lehigh, Stenton and Wissahickon avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, and to construct the necessary drains, viz.: Berkley street, from Pulaski avenue to Wayne street, at a cost not to exceed four hundred (400) dollars; Cedar street, from Margaret to Foulkrod street, at a cost not to exceed two hundred (200) dollars; Oakland street, from Unity to Orthodox street, at a cost not to exceed seven hundred (700) dollars; Margaret street, from Frankford avenue to Worth street, at a cost not to exceed one thousand (1000) dollars; Unruh street, from Frankford avenue to Glenloch street, at a cost not to exceed five thousand six hundred (5,600) dollars; Clearfield street, from D to Leany street, at a cost not to exceed three hundred (300) dollars; Cumberland street, from

Twenty-sixth to Twenty-ninth street, at a cost not to exceed two hundred (200) dollars; Thirtieth street, from Jefferson to Oxford street, at a cost not to exceed eleven hundred (1,100) dollars; Suplee street, from Fifty-third to Fifty-fourth street, at a cost not to exceed five hundred (500) dollars; Fifty-fifth street, from Vine street to Haverford avenue, at a cost not to exceed three hundred (300) dollars; Fifty-sixth street, from Vine street to Haverford avenue, at a cost not to exceed two hundred (200) dollars; Fifty-seventh street, from Thomas avenue to Whitby street, and Whitby street, from Fifty-sixth to Fifty-eighth street, at a cost not to exceed five thousand eight hundred (5,800) dollars; Frankford avenue, from Harrison to Bridge street, at a cost not to exceed three thousand (3000) dollars; Greenway avenue, from Sixty-sixth to Sixty-seventh street, at a cost not to exceed five hundred (500) dollars; Lehigh avenue, from Twenty-second to Twenty-ninth street, at a cost not to exceed four hundred (400) dollars; Stenton avenue, from Haines street to Washington lane, at a cost not to exceed thirteen hundred (1300) dollars; Wissahickon avenue, from Johnson to Rittenhouse street, at a cost not to exceed twelve hundred (1200) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets shall be first dedicated or properly opened. And, further provided, that the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the curbing and paving of the sidewalk in front of the property of F. Carroll Brewster on Wissahickon avenue, between Manheim and Hansberry streets.

WHEREAS: The City of Philadelphia, in widening Wissahickon avenue, between Manheim and Hansberry streets, removed a portion of the property of F. Carroll Brewster, and

for which he consented to ask no damages and at his own cost to grade the same, upon the City assuming the expenses of curbing and paving the sidewalk so created, therefore

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to curb and pave the sidewalk in front of the property of F. Carroll Brewster on the northeast side of Wissahickon avenue between Manheim and Hansberry streets, at a cost not to exceed three hundred and fifty (350) dollars, and that the City Controller be, and is hereby authorized and directed to countersign warrants in payment of the same, the amount to be taken from Item 2 in the annual appropriation to the Department of Public Works, Bureau of Highways.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE.

To repeal certain ordinances for paving streets in the 22d Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That ordinances authorizing the paving of Wissahickon avenue, from School lane to Rittenhouse street; School lane, from Greene to Wayne street; Mill street, from Belfield avenue to Cedar lane; School street, from Wayne street to Pulaski avenue; Mill street, from Cedar lane to Chew street; Chew street, from Mill to Penn street; School street, from Morris street to Wissahickon avenue, in the Twenty-second Ward, be and the same are hereby repealed.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance approved the 9th day of April, 1892, to authorize the opening of Hare, Salmon, Thirty-first and other streets, and Fairmount, Snyder, Lincoln and other avenues by striking out the proviso.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance authorizing the opening of Hare, Salmon, Thirty-first and other streets, Fairmount, Snyder, Lincoln and other avenues, approved the ninth day of April, 1892, be amended by striking out in that part authorizing the opening of Lincoln avenue from Washington lane to Johnson street the following proviso: "*Provided*, That Mr. Geo. C. Thomas first dedicate the ground covered by said avenue."

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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 AN ORDINANCE

To authorize the construction of sewers in Bristol, Brogan, Butler, Clarissa, Clearfield, Dana, Dean, Dohan, Franklin, Front, Harrison, Juniata, Lambert, Lawrence, Leiper, Margaret, Melrose, Morris, Mount Vernon, Orthodox, Park, Rorer, Seventeenth, Staub, Twenty-third, Twenty-fourth, Vandever, Willow streets and Lehigh and Woodland avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to construct the following sewers in accordance with plans and specifications to be approved by said Department, viz.: on Bristol street, from Juniata street to Sixteenth street; on Brogan street, from Vandever street to Raspberry street; Butler street, from Germantown avenue to Fifteenth street; Clarissa street, from Juniata street to Bristol street; Clearfield street, from Twentieth street to Twenty-second street; Dana street, from Front

street to New Market street; Dean street, from Snyder avenue to Jackson street; Dohan street, from Forty-ninth street to three hundred and eighty feet westward; Franklin street, from Foulkrod street to Dyer street; Front street, from Fairmount avenue to Green street; Harrison street, from Frankford avenue to Franklin street; Juniata street, from Wayne street to Clarissa street, and from Germantown avenue to Bristol street; Lambert street, from Columbia avenue to Montgomery avenue; Lawrence street, from Erie avenue to Sedgely avenue; Leiper street, from Unity street to Church street; Margaret street, from Cedar street to Little Tacony creek; Melrose street, from Fifty-fourth street to Fifty-fifth street; Morris street, from Eighteenth street to Twentieth street; Mount Vernon street, from Thirty-sixth street to Thirty-seventh street; Orthodox street, from Leiper street to Penn street; Park street, from Twentieth street to Twenty-second street; Rorer street, from Clearfield street to the end of present sewer about two hundred and fifty (250) feet south of Indiana street; Seventeenth street, from Lehigh avenue to Sedgely avenue; Staub street, from Sixteenth street to Germantown avenue; Twenty-third street, from Bainbridge street to Fitzwater street; Twenty-fourth street, from Ellsworth street to Federal street; Vandever street, from Locust street to Brogan street; Willow street, from Meadow street to Margaret street; Lehigh avenue, from Belgrade street to Thompson street, to be built and assessed on the southwest side of said avenue only; Woodland avenue, from Seventieth street to the summit between Sixty-fifth and Sixty-sixth streets, to be constructed under the northwest footway, and assessed against properties on the northwest side only.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Engineer and

Surveyor to draw warrants for street intersections, manholes and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of thirty-five thousand five hundred (\$35,500) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance until the streets are on the City plan, legally opened, and all the property abutting thereon assessed to full City rates: *Provided, however,* That where the properties are assessed at less than full City rates, and the streets on the plans are opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding the owners to pay the regular assessment charges.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE.

To place on the City plan Cross, Camellia, Allengrove, Neff, Nicholas, Turner, Lucy and Wilt streets, and Euclid avenue, Manton and Norton streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works be authorized to place on the City plan Cross street, thirty feet wide, from Effingham to Seventh street; Camellia street, twenty-five feet wide, from Deal to Palmer street; Allengrove street, fifty feet wide, from Frankford avenue to Cedar street; Neff street, fifty feet wide, from Chatham to Tulip street; Nicholas street, thirty-four feet wide, from Twenty-eighth to Twenty-ninth street; Turner street, thirty-four feet wide, from Twenty-eighth to Twenty-ninth street; Lucy street, thirty feet wide, from Belgrade to Almond street; Wilt street, thirty feet wide, from Thirty-first to Thirty-second street; Euclid avenue, thirty-three feet wide, from Thirty-first to Thirty-second street; Manton street, thirty feet wide, from Twenty-fourth to Twenty-fifth streets; Norton

street, fifty feet wide, from Jefferson to Emlen street; *Provided*, That the owners of ground within the lines of said streets shall first dedicate the same as public highways, or shall file a bond, or enter into a written agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may arise, or covenanting and agreeing to obtain releases from all such owners of all damages that may arise by reason of the placing and opening of the same, before this ordinance shall go into effect. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To place on the City plan Orkney and Jessup streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Orkney street, of the width of thirty feet, from York to Dauphin street; and Jessup street, of the width of fifteen feet, from Fitzwater street to a point about twelve feet south of Bainbridge street, and of the width of twenty-five feet from a point about twelve feet south of Bainbridge street to Bainbridge street. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

#### AN ORDINANCE

To authorize the vacation of Grover's Lane from Woodland avenue to Saybrook street, in the Twenty-seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be

requested to institute the necessary proceedings to have Grover's lane, from Woodland avenue to Saybrook street, in the Twenty-seventh Ward, vacated.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To revise the lines and grades on Plans Nos. 202 and 203, including the territory between Tasker street, Twenty-sixth street, Broad street, and Curtin street, in the Twenty-sixth and Thirty-sixth Wards.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to revise the lines and grades on Plans Nos. 202 and 203, including the territory between Tasker street, Twenty-sixth street, Broad street, and Curtin street, in the Twenty-sixth and Thirty-sixth Wards.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To increase the width of Mitchell street, between Green lane and Krams avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to increase the width of Mitchell street, on the northeast side, between Green lane and Krams avenue, to the width of fifty feet.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*



## AN ORDINANCE.

To make appropriation for and to authorize the construction of main sewers as follows: connections with the Intercepting Sewer in Germantown; connections with the Intercepting Sewer in Manayunk; Cresson street and Sunnyside avenue; Ontario street; Aramingo Canal system; extension of the Intercepting Sewer near Chestnut Hill; West Park, near Girard avenue; Dobson's run, on Juniata and other streets; Montgomery avenue; Thirty-third street; Merion creek branch of Mill creek; Luzerne street; Green and other streets; Fifty-sixth street; Allegheny avenue; extension of Fifty-first street sewer on Springfield and other streets; Frankford street; Ross and Upsal streets; extension of Fifty-second street sewer; Margaret street; Botanic creek on Elmwood and other streets; Commercial avenue and Ritner streets; extension of the Horrocks street sewer on "P" and other streets; Indiana street and Twenty-fourth street; Emlen street; Venango street; Thomas run on Thomas avenue and other streets; Sylvan street; Wingohocking creek; Greenway avenue; Cayuga and "E" streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into contracts for the construction of main sewers as follows:—Extension of the Intercepting Sewer on Lincoln avenue from Wissahickon avenue to Carpenter street, in the Twenty-second ward; connections to the Intercepting Sewer, Manayunk, in the Twenty-first Ward; Cresson street from end of present sewer to Sunnyside avenue, and on Sunnyside avenue from Cresson street to Thirty-fourth street, in the Twenty-eighth Ward; Ontario street between the Aramingo canal and the Delaware river, in the Twenty-fifth ward; Aramingo canal system between the present terminus south of Lehigh avenue and Somerset street, and between Somerset street and Ann street, in the Thirty-first Ward and Twenty-fifth Ward; extension of the Intercepting Sewer near Chestnut Hill, in the Twenty-first and Twenty-second Wards; Intercepting Sewer partly through West Park between a point near Girard avenue and Fortieth street and the Junction Railroad, thence along the westerly side of the Junction Railroad to Poplar street, in the Twenty-fourth Ward; Dobson's run sewer

on Juniata street between Stokley street and the stream west of McMichael street, in the Twenty-eighth Ward, also on Wissahickon avenue from King street to Queen street, on Queen street from Wissahickon avenue to Morris street, and on Morris street from Queen street to Coulter street, in the Twenty-second Ward; Montgomery avenue between the terminus of the present sewer, west of the Philadelphia, Germantown & Norristown Railroad and Twelfth street, in the Twentieth Ward; Thirty-third street between the terminus of the present sewer north of Sansom street and Market street, in the Twenty-seventh Ward; Merion creek branch of the Mill creek sewer between the terminus of the present sewer near Hunter's dam on Merion road to Lancaster avenue, on Lancaster avenue and over private property to connect with the terminus of the present sewer near Fifty-five-and-one-half street and the Pennsylvania railroad, in the Thirty-fourth Ward; Luzerne street between the terminus of the present sewer east of Third street and Reese street, in the Thirty-third Ward; Green street between Berkley street and West Logan street, on West Logan street to Royal street, on Royal street to Seymour street, on Seymour street between Royal street and Germantown avenue, in the Twenty-second Ward; Fifty-sixth street between Market street and Locust street, and on Locust street to east of Fifty-sixth street, in the Twenty-seventh Ward; Allegheny avenue between the Delaware river and Kensington avenue, in the Twenty-fifth Ward; the extension of the Fifty-first street main sewer from the terminus of the present sewer southeast of the West Chester railroad to Fiftieth street and Springfield avenue, on Springfield avenue to Forty-ninth street, on Fiftieth street between Springfield avenue and Florence avenue, in the Twenty-seventh Ward; Frankford street between Frankford creek and Melrose street, in the Twenty-third Ward; Upsal street between the stream near Musgrove street and Ross street, and on Ross street between Upsal street and Sharpnack street, in the Twenty-second Ward; extension of the Fifty-second street sewer between the present terminus near Fifty-second street and Lancaster avenue and Fifty-third street and Elm avenue, in the Thirty-fourth Ward; Margaret street between Frankford creek and Melrose street, in the Twenty-third Ward; Botanic creek sewer on Fifty-seventh street between the creek southeast of Elmwood avenue and Elmwood avenue, on Elmwood avenue between Fifty-seventh

street and Fifty-eighth street, on Fifty-eighth street to a drainage street northwest of Elmwood avenue, on a drainage street between Fifty-eighth street and Fifty-ninth street, on Fifty-ninth street to Gray's avenue, on Gray's avenue between Fifty-ninth street and Sixtieth street, on Sixtieth street to the northwesterly side of the P. W. & B. R. R., along the northwesterly side of the P. W. & B. R. R. to Sixty-second street, on Sixty-second street to Paschall avenue between Sixty-second and Sixty-third streets, and on Sixty-third street from Paschall avenue to Woodland avenue, in the Twenty-seventh Ward; Commercial avenue between Wolf street and Ritner street and on Ritner street east of Commercial avenue, in the First Ward; extension of the main sewer on Horrocks street from its present terminus on "P." street near Foulkrod street to Foulkrod street, on Foulkrod street between "P" street and the Castor road, and on Castor road between Foulkrod street and Duncannon street, in the Twenty-third Ward; Indiana street between the present terminus west of Twenty-second street and Twenty-fourth street, and on Twenty-fourth street between Indiana street and the present terminus south of Indiana street, in the Twenty-eighth Ward; Emlen street near Sedgwick street, in the Twenty-second Ward; Venango street between the Aramingo canal and Frankford avenue, in the Twenty-fifth Ward; Thomas run between the stream near Fifty-six-and-one-half street and Whitby avenue, on Fifty-six-and-one-half street to Thomas avenue, on Thomas avenue to Fifty-fifth street, and on Fifty-fifth street from Thomas avenue northwardly about one hundred and fifty feet, in the Twenty-seventh Ward; on the line of Sylvan street, and across private property between Pennypack creek and Decatur street in the Thirty-fifth Ward; Wingohocking creek from the present terminus east of York road, on Courtland street eastward, in the Twenty-second Ward; Greenway avenue between Cobb's creek and Seventy-first street, in the Twenty-seventh Ward; section of the Wingohocking stormwater and Intercepting Sewer under the Bustleton railroad near Cayuga and "E" streets, in the Thirty-third Ward.

SECT. 2. The Director of the Department of Public Works shall advertise for proposals and award the contracts in accordance with the existing laws and ordinances, and plans and specifications prepared by the Department of Public Works. Any excess over the assessment upon property for the construction of said sewers shall be charged to items for the con-

struction of main sewers in the appropriations to the Department of Public Works, Bureau of Surveys, and the following sums are hereby set aside for the construction of the said main sewers:—Connections with the Intercepting Sewer in Germantown, one hundred thousand (100,000) dollars; connections with the Intercepting Sewer in Manayunk, fifty thousand (50,000) dollars; Cresson street and Sunnyside avenue, twenty thousand (20,000) dollars; Ontario street, seventy-five thousand (75,000) dollars; Aramingo canal, eighty thousand (80,000) dollars; extension of the Intercepting Sewer near Chestnut Hill, thirty thousand (30,000) dollars; through West Park, ten thousand (10,000) dollars; Dobson's run, thirty-five thousand (35,000) dollars; Montgomery avenue, twenty thousand (20,000) dollars; Thirty-third street, ten thousand (10,000) dollars; Merion creek branch of Mill creek, seventy-five thousand (75,000) dollars; Luzerne street, twenty-five thousand (25,000) dollars; Green street, forty thousand (40,000) dollars; Fifty-sixth street, twenty thousand (20,000) dollars; Allegheny avenue, seventy-five thousand (75,000) dollars; Fifty-first street extension, nine thousand (9,000) dollars; Frankford street, eight thousand (8,000) dollars; Ross and Upsal streets, five thousand (5,000) dollars; Margaret street, nine thousand (9,000) dollars; Fifty-second street extension, fifteen thousand (15,000) dollars; Botanic creek, fifty-four thousand (54,000) dollars; Commercial avenue and Ritner street, forty (40,000) dollars; Horrocks street extension, fifteen thousand (15,000) dollars; Indiana and Twenty-fourth streets, twenty-seven thousand (27,000) dollars; Emlen street, three thousand (3,000) dollars; Venango street, fifteen thousand (15,000) dollars; Thomas run, twenty thousand (20,000) dollars; Sylvan street, ten thousand (10,000) dollars; Wingohocking creek, thirty thousand (30,000) dollars; Greenway avenue, five thousand (5,000) dollars; Cayuga and "E" streets, ten thousand (10,000) dollars; in all the sum of nine hundred and forty thousand (940,000) dollars.

*Provided*, That in the event of any of the aforesaid main sewers costing less than the sums herein set aside for their construction, the Director of the Department of Public Works is hereby authorized at his discretion to use any balances of the foregoing amount or any part thereof, for the completion of any of the main sewers herein named, for which the sums set aside are insufficient.

SECT. 3. The Director of the Department of Public Works shall give one month's notice of the date of final payment, and satisfactory evidence shall be furnished that full compensation has been made for all labor done and materials furnished previous to drawing warrants for final payments.

SECT. 4. That the Mayor be, and is hereby authorized to enter security for damages by reason of the construction of any of these sewers through private property.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Berkley, Boone, Cresson, Magnet, West Logan, Gurney and Thirtieth streets; Allegheny, Grays, Mt. Airy, and Ridge avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, and to construct the necessary drains: Berkley street, from Green to Wayne street, at a cost not to exceed two hundred (200) dollars; Boone street, from Grape to Mechanic street, and Mechanic street, from Boone to Tower street, at a cost not to exceed sixteen hundred (1,600) dollars; Cresson street, from Shur's lane to Cedar street, at a cost not to exceed two hundred (200) dollars; Magnet street, from Gay street to Lyceum avenue, at a cost not to exceed two hundred (200) dollars; Magnet street, from Flint street to Green Lane, at a cost not to exceed three hundred (300) dollars; West Logan street, from Wayne street to Germantown avenue, at a cost not to exceed twelve hundred (1,200) dollars; Gurney street, from Leamy street to Lehigh avenue, at a cost not to exceed five hundred (500) dollars; Thirtieth street, west side, from Walnut to Locust street, at a cost not to exceed three hundred (300) dollars; Allegheny avenue, from Sixth street to Glenwood avenue, at a cost not to exceed seven thousand eight hundred (7,800) dollars; Grays avenue, from

Fifty-fourth to Fifty-eighth street, at a cost not to exceed two thousand five hundred (2,500) dollars ; Mt. Airy avenue, from Quincy to McCallum street, at a cost not to exceed eight hundred (800) dollars ; Ridge avenue, from Manayunk avenue to Hermit lane, at a cost not to exceed nineteen hundred (1900) dollars.

The owners of property fronting on said streets shall grade, curb and pave their sidewalks : *Provided*, That said streets shall be first dedicated or properly opened. *And, further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation out of loan authorized by ordinance of March 15, 1894, for abolishing grade crossings on Pennsylvania avenue and Noble street, of six million dollars to new Item 28, in the annual appropriation to the Department of Public Works, Bureau of Surveys.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of six million dollars be and the same is hereby appropriated out of loan authorized by ordinance of March 15, 1894, for abolishing grade crossings on Pennsylvania avenue and Noble street, to new Item 28 in the annual appropriation to the Department of Public Works, Bureau of Surveys, under the authority of, and for the purposes as set forth in the following ordinances, namely : An ordinance entitled "An Ordinance to authorize the creation of a loan or loans by the City of Philadelphia, for the sum of six million (6,000,000) dollars for the work necessary to abolish all grade crossings on Pennsylvania avenue and Noble street, between the east side of Thirteenth street and Poplar street, in the Fourteenth and Fifteenth Wards, by depressing the tracks and yards of the Philadelphia and Reading Railroad Company on Pennsylvania avenue between Broad street and Thirtieth street ; the alterations in the lines and grades

of the tracks and yards between the north side of Noble street and Callowhill street, and between Broad street and Eleventh street; alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad Company east of Broad street, between Noble and Vine streets; and for all costs and damages arising therefrom," approved March 15, 1894, and an ordinance entitled "An Ordinance to authorize the work necessary to abolish all grade crossings on Pennsylvania avenue and Noble street between the east side of Thirteenth street and Poplar street, in the Fourteenth and Fifteenth Wards, by depressing the tracks and yards of the Philadelphia and Reading Railroad Company on Pennsylvania avenue between Broad street and Thirtieth street, providing for alterations in the lines and grades of its tracks and yards between the north side of Noble street and Callowhill street, and between Broad street and Eleventh street; and alterations in the lines and grades of the tracks of the Philadelphia and Reading Terminal Railroad Company, east of Broad street, between Noble street and Carlton street; to authorize the revision of lines and grades of streets, and otherwise provide for said construction and all matters incident thereto; and providing for the carrying into effect such authority and certain conditions," approved March 17, 1894.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize the revision of grades on Upsal street, between Nash street and Chew street, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works, Bureau of Surveys, be, and is hereby authorized to revise the grades of Upsal street, between Nash street and Chew street, in the Twenty-second Ward.

Approved the fourth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To lay water pipe in Gates, Laurens, Sixty-third, Forty-third, McFall, Thirty-two and three-quarters, Staub, Ward, Grove, Twenty-second, and Ontario streets, Hartwell, Florence, Hunting Park, Euclid and Sedgley avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Department of Public Works is hereby authorized and directed to lay water pipe in Gates street from Wood to Peehin street; Laurens street, from Hansberry to Coulter street; Hartwell street, from Germantown avenue to Twenty-fifth street; Forty-third street, from Chester to Kingsessing avenue; Sixty-third street, from Woodland avenue to P. W. & B. R. R.; Florence avenue, from Forty-eighth to Fiftieth street; Hunting Park avenue, from Germantown avenue to Pulaski avenue; M'Fall street, from Saulnier street to dead end; Thirty-two and three-quarter street, from Berks to Norris street; Euclid avenue, from Thirtieth to Thirty-first street: Staub street, from Sixteenth street to Germantown avenue; Ward street, from McKean to Snyder avenue; Grove street, from Gray's Ferry road to Wharton street; Twenty-second street, from Point Breeze avenue to Morris street; Sedgley avenue, from Broad street to Park avenue; Ontario street, from Broad street to Germantown avenue.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To strike off claim for water pipe laid in Forty-seventh street in front of Warrington avenue, Twenty-seventh Ward.

WHEREAS, under an ordinance approved the seventh day of April, 1893, the Department of Public Works was authorized to strike Warrington avenue from the City plan between Forty-seventh street and Baltimore avenue: *Provided*, That the owners of ground at the southeast corner of the said Forty-seventh street and Baltimore avenue, first dedicate the ground



between lines of the same, and a curved line drawn on a radius of fifty feet, joining said street lines.

AND WHEREAS, Said owners are ready to deliver deed of said piece of land and have already paid for water pipe laid in front of the land to be dedicated to the City, they ask that the claim for water pipe above mentioned be satisfied of record, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized upon the delivery of the deed of dedication approved by the City Solicitor, (for the land above mentioned) to strike off and satisfy of record the claim for water pipe laid in Forty-seventh street in front of Warrington avenue.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To lay water pipe in Dean, Prospect, Frankford, Nicholas, Turner, Howell, Thirteenth, Rush streets, and Park avenue, and to relay Beckett street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby directed to lay water pipe in Dean street, from Snyder avenue to Jackson street; Prospect street, from Thompson to Master streets; Frankford street, from James to Edmund street; Nicholas street, from Twenty eighth to Twenty-ninth street; Turner street, from Twenty-eighth to Twenty-ninth street; Howell street, from Torresdale avenue to Tulip street; Thirteenth street, from Rising Sun lane to Ontario street; Rush street, from Broad street to Park avenue; Park avenue, from Sedgley avenue to Clearfield street, and to relay with larger pipe, Beckett street, from Sixteenth to Seventeenth street.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To lay water pipe in Allison, Dyre, Seventieth, McFall, Wilt, Thirty-two-and-a-half, Gurney, Fifty-eighth, Supplee and Fifty-third streets, Allegheny, Greenway and Euclid avenues, and to relay with larger pipe Bodine street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to lay water pipe in Allison street, from Reed to Ninth; Dyre street, from Franklin to Frankford avenue; Allegheny avenue, from Richmond to Bath; Seventieth, from Greenway avenue to Cobb's creek; Greenway avenue, from Seventieth to Seventy-first; McFall street, from Saulnier north to dead end; Euclid avenue, from Thirty-first to Thirty-second; Wilt street, from Thirty-first to Thirty second; Thirty-two-and-a-half street, from Berks to Norris; Gurney street, from Leamy to Lehigh avenue; Fifty-eighth street, from Melrose to Westminster avenue; Supplee street, from Fifty-third to Fifty-fourth; Fifty-third street, from Girard avenue to Wyalusing, and to relay with larger pipe Bodine street, from York to sixty (60) feet south of Cumberland street.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize the opening of Cora, Greene, Morton, Ross, Upsal, Wingohocking, Tasker and Forty-seventh streets; Cheltenham, Park and Overbrook avenues, Carlisle, Twenty-second, Thirteenth, Twenty-seventh, Righter, and Ontario streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of

three months from the date of said notice said streets will be required for public use, viz. : Cora street, from Stenton avenue to Twentieth street; Greene street, from Seymour to West Logan street; Morton street, from Centre street to Willow avenue; Ross street, from Sharpnack to Upsal street; Upsal street, from Sullivan street to Stenton avenue; Wingohocking street, from Seventeenth to Broad street; Chelten avenue, from Stenton avenue to Limekiln pike; Tasker street from Twenty-third to Twenty-fifth street; Forty-seventh street, from Seneca street to Westminster avenue; Park avenue, from Rising Sun lane to Tioga street; Overbrook avenue, from Fifty-seventh to Fifty-eighth street; Carlisle street, from Ontario to Tioga street; Twenty-second street, from Moore to Mifflin street; Thirteenth street, from Rising Sun lane to Ontario street; Twenty-seventh street, from Diamond street to Sedgely avenue; Righter street, from Hemlock street to Hermit lane; Ontario street, from Broad street to German-town avenue; *Provided*, That the owners of property abutting on or in the vicinity of said streets herein authorized to be opened shall first file an agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may be finally assessed against the City in excess of the following amounts: On Cora, Greene, Upsal, Wingohocking and Tasker streets, and Chelten and Park avenues, against all damages. On Morton street against all damages in excess of seventeen thousand one hundred (17,100) dollars. On Ross street, against all damages in excess of four thousand five hundred (4,500) dollars. On Forty-seventh street, against all damages in excess of eight thousand six hundred (8,600) dollars; on Overbrook avenue, Carlisle street and Twenty-second street, against all damages; on Thirteenth street, against all damages in excess of two thousand five hundred (2,500) dollars; on Twenty-seventh street, against all damages in excess of two thousand five hundred (2,500) dollars; on Righter street, against all damages in excess of three thousand eight hundred (3,800) dollars; on Ontario street, against all damages in excess of seven thousand (7,000) dollars.

SECT. 2. Upon the owner or owners of the property abutting on or in the vicinity of any streets herein above named and authorized to be opened, filing the agreement indemnifying the City against all damages in excess of the amounts respectively authorized by this ordinance as the limit payable by the

City for the opening of such streets, the Mayor of the City is authorized and requested to enter security on behalf of the City of Philadelphia for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds and at the expiration of said three months the Director of the Department of Public Works shall forthwith proceed to open said streets: *Provided*, That no action shall be taken by the executive department for the opening of said streets until said property owners' bond shall be approved by the City Solicitor and filed in his office.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the widening of the southeast side of Woodland avenue, between Forty-first and Forty-second streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the southeast side of Woodland avenue, between Forty-first and Forty-second streets, so as to make the southeast sidewalk fifteen (15) feet wide.

SECTION 2. The Director of the Department of Public Works is hereby authorized to enter into a contract with the Woodland Cemetery Company for removing the wall on the said southeast side of Woodland avenue and for grading and paving said sidewalk, the cost to the City not to exceed five thousand (5,000) dollars; the said amount to be taken from Item 2, in the annual appropriation to the Department of Public Works (Bureau of Highways) for the year 1894, the work authorized by this ordinance to be completed within three months from the signing of said contract: *Provided*, That the Woodlands Cemetery Company first dedicate to the City the ten (10) feet necessary to widen the said southeast side of Woodland avenue, or shall enter into a satisfactory agreement not to claim damages by reason of the said widening of Woodland avenue.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the opening of Willow Grove avenue, Twenty-fourth, Fifty-eighth and Gurney streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice said streets will be required for public use, viz.: Willow Grove avenue, from Germantown avenue southwestwardly, to a point about two hundred and fifty (250) feet; Twenty-fourth street, from Wharton to Shunk street; Fifty-eighth street, from Woodbine avenue to Overbrook avenue: *Provided*, That the owners of the Overbrook farms first dedicate all that portion of said Fifty-eighth street which is laid out over their property; Gurney street, from Leamy street to Leahy avenue.

SECT. 2. The Mayor of the City is hereby authorized and directed to enter security on behalf of the City of Philadelphia, for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said streets.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To reduce the width of River road, from Shawmont avenue to Port Royal avenue, in the Twenty-first Ward, to thirty-three feet.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*. That the Department of Public Works be authorized to reduce the width of River road, from

Shawmont avenue to Port Royal avenue, in the Twenty-first Ward, to thirty-three feet, and that the seven feet hereby vacated be restored to the parties abutting on the southwest side of said street, from whom it was originally taken.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To place upon the City plan Susan Gorgas Park, in the Twenty-first Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the lot of ground in the Twenty-first Ward, beginning at the west corner of Ridge avenue and Jefferson street, thence extending along the north-west side of Jefferson street southwestward seventeen hundred and thirty-eight (1738) feet ten and three quarters ( $10\frac{3}{4}$ ) inches to a point, thence north twenty-five (25) degrees two (2) minutes west four hundred (400) feet four and seven-eighths ( $4\frac{7}{8}$ ) inches to a point on the southeast side of Gates street, thence northward crossing Gates street to the northeast corner of Gates street and Manayunk avenue, thence along the northeast side of Manayunk avenue northwestward one hundred and sixty-seven (167) feet more or less to a point, thence north sixty-five (65) degrees twenty-eight (28) minutes east twelve hundred and seventy (1270) feet six (6) inches more or less to the southwest side of Ridge avenue, thence along the same by its several courses southeastward seven hundred and fifty-seven (757) feet eleven and one-quarter ( $11\frac{1}{4}$ ) inches to the northwest side of Jefferson street, the place of beginning, is hereby selected for a public park, and the Director of the Department of Public Works is hereby authorized and directed to place said park, under the name of Susan Gorgas Park, upon the City plan, and to strike therefrom the lines of all unopened streets contained within the boundaries of said park.

Approved the sixth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting permission to the Overbrook Steam Heat Company of Philadelphia to enter upon certain streets, avenues and highways at Overbrook, in the Thirty-fourth Ward, of the City of Philadelphia, and to lay therein its pipes, conduits, and service pipes to supply steam for heating to the buildings erected thereon.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Overbrook Steam Heat Company of Philadelphia is hereby granted permission to enter upon and lay, maintain and operate its pipes, conduits, and service pipes, and to construct the necessary manholes and make connections for supplying steam for heating from its works to such properties and buildings whose owners or occupiers consent thereto, in, under and along the streets, avenues, roads, and highways bounding, or within the limits of the "Overbrook Farms" tract, bounded eastwardly by Woodbine avenue, westwardly by City Line avenue, northwardly by Fifty-seventh street, and southwardly by Sixty-sixth street. The work of said Company shall be done in compliance with the rules and regulations of the Board of Highway Supervisors, and under the supervision and direction of the Department of Public Works of said City: *And provided,* That the maximum pressure of steam in the pipes and conduits in said streets, avenues, roads and highways, shall at no time exceed thirty pounds to the square inch.

SECT. 2. Before any work shall be done under this ordinance the said Company shall file with the City Solicitor its bond with good and sufficient sureties in the sum of twenty-five thousand (25,000) dollars, conditioned that it will indemnify the City and owners of property against all damages caused by the construction or operation of its works; that it will comply with the provisions of this ordinance; also, with the provisions of an ordinance applicable thereto, approved the fifth day of August, 1886, entitled "An Ordinance regulating the construction of underground wires, electrical conductors, conduits, cable and tubes in the City of Philadelphia," and all ordinances passed or to be passed relating to the use, occupation and repair of streets by companies laying pipes or conduits of any kind thereunder, and that the "Overbrook Farms" Company agree to dedicate said streets as shown on

the plan to be approved by the Survey Department within three years or sooner if requested to do so by the Director of Public Works.

SECT. 3. That the pipes used by said Company for the conveyance of steam shall be of wrought iron and tested to a pressure of at least 250 pounds per square inch, and incased in wood logs. The wood logs shall have a bore of at least two inches greater diameter than the iron pipes, and be lined on the inside with tin, and constructed in such a manner as to prevent the radiation of heat. Expansion joints or "variators" and "anchor specials," shall be placed fifty feet apart to provide for expansion and contraction of pipes. The pipes of said company shall be used for conveying steam for heating and for no other purpose. One or more lines of porous tile shall be laid below the wood log for the purpose of carrying the surface or spring water, and connected at the lowest points with the sewer by proper traps. The entire construction to be approved by the Department of Public Safety, which Department shall have the right to inspect and test said pipes and fixtures at any time.

SECT. 4. The said company shall supply steam for heating free of charge to the City, to all its public school houses, fire and police station houses, patrol and other public buildings now existing, or hereafter constructed on the line of its mains; and that the authority and privileges herein granted shall cease and determine unless the work hereby authorized, as well as the plant for furnishing steam shall be commenced within six months from the passage of this ordinance, and shall cease and determine as to so much as is not completed within five years after such passage: *And provided further*, That said Company shall pay into the City Treasury the sum of fifty (50) dollars for printing this ordinance.

Approved the ninth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE.

To authorize the repaving of certain streets, the construction of sewers and the laying or relaying of gas or water pipe therein, and for work contingent therewith.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to enter into contracts with competent paviors, for the repaving of the following streets with granite, Pennsylvania or Lambertville blocks, and doing all the necessary and contingent work, or so much of the said work as can be done out of the appropriation made for said purpose; the cobble stones removed, to become the property of the contractors for use in the foundation, viz :

Almond street, from Second to Front street; Adelphi street from Fleet to Sixth street; Augusta place, from Front street westward; Adams street from Frankford avenue to Amber street; Barker street, from Twentieth to Twenty-third street; Berks street from Tenth to Eleventh street; Boudinot street, from Kensington avenue to Cambria street; Drinker street, from Front to Second street; Fifty-second street, from Girard avenue to Warren street; Elfreth street, from Front to Second street; Edward street, from Second to Hancock street; Mountain street, from Eighth to Beulah street; Marlborough street, from Girard avenue to Thompson street; Mascher street, from York street to Lehigh avenue; Noble street, from Sixth to Tenth street; Norris street, from Fourth street to German-town avenue; Otsego street, from Reed to Tasker and from Morris to Moore street; Pear street, from Third to Dock street; Spruce street, from Twenty-fifth to Twenty-sixth street; Sansom street, from Twenty-first to Twenty-second street; St. John street, from Buttonwood to Brown street; Twenty-fifth street, from Lombard to Pine street; Twenty-fourth street, from Spruce to Sansom street; Thirtieth street, from Girard avenue to Master street; Jacoby street, from Cherry to Monterey street; Vienna street, from Richmond street to Girard avenue; Weaver street, from Green street to Fairmount avenue; Washington street, from Main street to Leverington avenue; Wharton street, from Thirty-first to Thirty-sixth street.

For repaving the following streets with sheet asphaltum upon a hydraulic cement concrete foundation or a bituminous

base foundation, and doing all the necessary contingent work or so much of the said work as can be done out of the appropriation made for said purpose: the cobble stones removed to become the property of the contractors for use in the foundation, viz:

Ann street, from Nineteenth to Twentieth street; south side of Bainbridge street, from Third to Fifth street; Barclay street, from Seventh to Eighth street; Brinton street, from Master to Oxford street; Bouvier street, from Master to Oxford street; Berks street, from Eleventh to Twelfth street; Brandywine street, from Thirteenth to Broad street; Cypress street, from Third to Fourth street; Cuthbert street, from Twelfth to Thirteenth and from Fifteenth to Seventeenth street; Camac street, from Montgomery avenue to Berks street; Cayuga street, from Eighteenth street to Germantown avenue; Crown street, from Race to Vine street; Drury street, from Thirteenth to Juniper street; Dickinson street, from Twelfth to Fifteenth street; Dauphin street, from Tulip to Gaul street and Amber to Emerald street; Eneu street, from Passyunk avenue to Seventh street; Evelina street, from Third to Levant street; Fitzwater street, from Eighth to Eleventh street; F street, from Twenty-second to Twenty-third street; Friedlander street, from Cherry to Race street; Forty-first street, from Market to Chestnut street, and from Sansom to Locust street; Forty-third street, from Haverford avenue to Aspen street; Forty-third street, from Walnut to Locust street; Forty-fifth street, from Spruce street to Baltimore avenue; Fontaine street, from Sixteenth to Eighteenth street; Griscom street, from Spruce to Pine street; Hunter street, from East of Tenth to west of Eleventh street; intersections of Thirty-sixth street with the northwest side of Woodland avenue and the south side of Locust street; Jamison street, from Seventh to Eighth street; Juniper street, from Arch to Vine street; Levant street, from Spruce to Pear street; Lee street, from Eighteenth street westward; Leiper street, from Oxford road to Orthodox street; Mary street, from Seventh street eastward; Margaret street, from Wharton to Mary street; Madison street, from Race to Vine street; Montgomery street, from Tenth to Twelfth street; Marshall street, from Diamond street to Germantown avenue; Mervine street, from Berks street to Susquehanna avenue, McIlvain street, from Fourth to Sixth street; North College avenue, from Twenty-second to Twenty-third street; Neff street, from Melvale

to Mercer street : Philip street, from Master to Oxford street ; Perry street, from Race to Vine street ; Powelton avenue, from Fortieth to Forty-first street ; Rittenhouse street, from Twentieth to Twenty-first street ; Randolph street, from Brown street to Girard avenue ; Race street, from Thirty-fourth to Thirty-sixth street ; Sergeant street, from Ninth to Eleventh street ; Summer street, from Fifteenth to Sixteenth street ; Sixteenth street, from Tioga street to Erie avenue ; Smedley street, from Ontario to Venango street ; Somerset street, from Broad to Mervine street ; Twenty-first street, from Spring Garden street to Fairmount avenue ; Thompson street, from Taney to Twenty-sixth street ; Twenty-sixth street, from Thompson to Stephen street ; Taney street, from Thompson to Stephen street ; Twenty-first street, from Fitzwater to Christian street ; Twenty-seventh street, from Montgomery street to Ridge avenue ; Venango street, from Frankford avenue to Bethlehem street ; Venango street, from Twenty-third street to Wissahickon avenue ; Walden street, from Twenty-first to Twenty-second street ; Wallace street, from Seventh to Eighth street ; Walnut street, from Thirty-third to Thirty-fourth street ; Willington street, from Master street to Montgomery avenue ; Woodstock street, from Montgomery street to Columbia avenue ; Maplewood avenue, from Wayne to Green street with sheet asphaltum on present rubble pavement.

For repaving the following streets with best quality of vitrified paving brick and doing all the necessary contingent work or as much of the said work as can be done out of the appropriation for said purpose : the cobble stones removed to become the property of the contractor for use in the foundation. viz. :

Alder street, from York street to Germantown avenue ; Bankson street, from Melon to Wallace street ; Borden street, from Fourth to Fifth street ; Clinton street, from Ninth to Eleventh street ; Chatham street, from Green to Buttonwood street ; Carlisle street, from Susquehanna avenue to Dauphin street ; Forty-sixth street, from Baltimore avenue to Chester avenue ; Green lane, from Ridge avenue to Pechin street and from Main to Cresson street ; Lorain street, from Buttonwood to Spring Garden street ; Lawrence street, from Culvert to Poplar street ; Leithgow street, from Girard avenue to Thompson street ; Levering street, from Main to Cresson street ; Ludlow street, from Thirty-ninth to Fortieth street ; Melon street, from Ridge avenue to Twelfth street ;

Fink street, from Master to Jefferson street; Pemberton street, from Eighteenth street to Gray's Ferry road; Rosehill street, from Cambria to Somerset street; Sharswood street, from Eighteenth to Twentieth street; Woodstock street, from Berks to Norris street; Webster street, from Seventeenth to Twenty-second street.

SECT. 2. The Director of the Department of Public Works is hereby authorized to construct sewers, lay or relay gas or water pipes in any of the said streets wherever the same may be necessary, said sewers to be built in accordance with the ordinances of May 12, 1866, and February 16, 1869, regulating the construction of sewers; any excess over and above the assessments provided for in ordinance of April 3, 1868, to be charged to Item 17, Section 7, of the ordinance making appropriation to the Department of Public Works for the year 1894, and the cost of laying and relaying gas pipes shall be charged to Item 7, Section 3, and the laying and relaying of water pipes to Items 5, 8 and 10, Section 8 of the same ordinance.

SECT. 3. The conditions of the contracts for the foregoing work shall be, that the contractors shall enter into an obligation with the City to keep said streets in good repair for five years after the work is finished; *Provided*, The Director of the Department of Public Works shall first advertise for proposals for repaving the said streets, and award the contracts to the lowest bidders. Payment to be made from Item 26 and Item 26½, Section 4, of the appropriation to the Department of Public Works, Bureau of Highways, for the year 1894.

SECT. 4. That the specifications shall require the use of the best quality of Trinidad asphalt or such other asphalt as in the judgment of the Director of the Department of Public Works shall be equal thereto.

Approved the ninth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the paving of Twenty-first, Sedgely, Pulaski and Mantua avenues ; Eighteenth, Arrott, Cedar, Meadow, Sellers, De Lancey, Thirty-second, Thirty-third, Broad, Fifty-third, Fifty-fifth, Fifty-sixth, New, Suplee and Fiftieth streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with granite, Pennsylvania or Lambertville blocks, viz : Twenty-first street, from Dickinson to Tasker street, at a cost to the City not to exceed four hundred (400) dollars : Sedgely avenue, from Twenty-second street to Lamb Tavern Road, at a cost to the City not to exceed eight thousand three hundred (8,300) dollars ; Pulaski avenue, from Seventeenth street to Hunting Park avenue, at a cost to the City not to exceed six thousand four hundred (6,400) dollars ; Eighteenth street, from seventy-five feet south of Wolf street to Ritner street, at a cost to the City not to exceed four thousand (4,000) dollars :

The following streets with sheet asphaltum with broken stone base and binder : Arrott street, from Large street to Asylum Pike, at a cost to the City not to exceed four thousand one hundred (4,100) dollars ; Cedar street, from Margaret to Foulkrod street, at a cost to the City not to exceed five hundred (500) dollars ; Meadow street, from Paul street to Frankford avenue, at a cost to the City not to exceed two hundred (200) dollars ; Sellers street, from Wingohocking to Oakland street, at a cost to the City not to exceed seven hundred (700) dollars ; Mantua avenue, from Thirty-fifth to Thirty-eighth street, at a cost to the City not to exceed eight thousand seven hundred (8,700) dollars ; DeLancey street, from Forty-second street to a point about one hundred and fifty feet eastward, at a cost to the City not to exceed two hundred and fifty (250) dollars ; Thirty-second street, from Susquehanna avenue to Ridge avenue, at a cost to the City not to exceed five hundred (500) dollars ; Thirty-third street, from Susquehanna avenue to Ridge avenue, to the width of forty-six feet in the centre, to be done under and in accordance with the provisions of an ordinance approved March

11th, 1891, providing for grass plots and planting of trees along the sidewalks of the streets and avenues of the City of Philadelphia seventy feet wide and over from house line to house line, at a cost to the City not to exceed fifteen thousand (15,000) dollars; Broad street, from Reading Railroad to Cayuga street, at a cost to the City not to exceed seven thousand five hundred (7,500) dollars; Fifty-third street, from Girard avenue to Wyalusing street, at a cost to the City not to exceed fourteen hundred (1,400) dollars; Fifty-fifth street, from Vine street to Haverford avenue, at a cost to the City not to exceed two thousand four hundred (2,400) dollars; Fifty-sixth street, from Vine street to Haverford avenue, at a cost to the City not to exceed three thousand three hundred (3,300) dollars.

The following streets with vitrified paving bricks, viz: New street, from Cherry to Tackawanna street, at a cost to the City not to exceed six hundred (600) dollars; Suplee street, from Fifty-third to Fifty-fourth street, at no cost to the City; Fiftieth street, from Woodland avenue to Paschall avenue, at a cost to the City not to exceed five thousand (5,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the ninth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Creating the office of Inspector of Elevators, and providing for the inspection of passenger and freight elevators in the City of Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That there be created the office of Inspector of Elevators in and for the City of Philadelphia.

SECT. 2. The Director of the Department of Public Safety, with the approval of the Mayor, shall appoint two additional inspectors in the Bureau of Boiler Inspection, who shall be competent mechanical engineers, whose duty it shall be to inspect at least once in every three months all elevators used for the purpose of carrying either passengers or freight, or passengers and freight, to see that the same are in perfect working order, and that all the parts are in good condition and repair, and to grant certificate of this effect, for which an annual fee of one (1) dollar shall be charged and the same paid into the city treasury. For this purpose the said inspectors shall have the right to enter the premises where any such elevators may be in use. The result of each inspection shall be properly recorded in books provided for the purpose, and all notices, certificates, etc., shall be issued from the Bureau of Boiler Inspection :

*Provided*, That the inspectors appointed under the provisions of this ordinance be, and they are hereby authorized to accept the certificate of any insurance or casualty company whose responsibility is approved of by the City Solicitor : *Provided further*. That every passenger elevator shall be provided with an inside sliding door when in the judgment of the inspector it is necessary to be under the control of the operator.

SECT. 3. It shall be the duty of every person owning, controlling, operating or using, as owner, lessee or agent, any passenger or freight, or passenger and freight elevator, within the limits of the City of Philadelphia, to expose to public view as near as possible to the elevator car, the certificate of inspection.

SECT. 4. It shall be unlawful to run or operate any elevator without first having obtained a certificate from the inspector of the district in which such elevator may be, that it is in condition to be operated as above provided.

SECT. 5. If any defects be found to exist in any part or parts of any passenger or freight, or passenger and freight elevator which would tend to impair the safety or endanger life by continued use of said elevator, the inspector shall cause a written notice to be served upon the owner or user of said elevator, which notice may contain a statement of the repairs necessary to be made, and said elevator shall not be used again until a certificate in writing be issued by the inspector that it has been put in safe running order, and is fit for use.

SECT. 6. The Chief of the Bureau of Boiler Inspection shall be notified of any changes to be made by the owners or lessees of elevators. Upon any elevator being hereafter placed in any building in the City of Philadelphia, the owner or lessee shall immediately notify the Chief of the Bureau of Boiler Inspection in writing, and such elevator shall not be used until it shall have been duly inspected.

SECT. 7. The owners or lessees of all elevators shall employ competent persons to operate and run the same, who shall not be less than sixteen years of age. Whenever it shall become evident to the inspector that any person so employed is incompetent or untrustworthy, he shall at once notify the user or owner of said elevator, who shall at once replace the incompetent employee with a qualified operator.

*Provided,* That this section shall not apply to elevators used exclusively for freight, and where no passengers or employees are carried except the one duly authorized to have access to said elevator for the purpose of operating the same.

SECT. 8. All elevator doors shall be so constructed that they can be opened and closed only from the inside, and shall be entirely under the control of an operator.

SECT. 9. All hatchways, wells or shafts shall be so constructed that the surface of same shall be flush or smooth, free from projections, sills or breaks.

SECT. 10. Every person who shall violate any provision of any section of this ordinance shall be fined not less than ten nor more than one hundred dollars. For each day such violation shall continue after notice has been given by the inspectors during which the person or persons so notified shall neglect or refuse to comply with the provisions of this ordi-



nance, there shall be an additional fine of twenty-five dollars. Said fines shall be collected before any magistrate in the City of Philadelphia, and paid into the city treasury.

Approved the tenth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Granting permission to the Post-office Department of Philadelphia to erect a corrugated iron awning in front of the building occupied as a Post-office on Thirty-eighth street, south of Market street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and the same is hereby granted to the Post-office Department of Philadelphia to erect a corrugated iron awning in front of the building occupied as a Post-office in West Philadelphia, situate on Thirty-eighth street, south of Market street, and the Bureau of Building Inspectors be, and the same are hereby authorized to grant a permit for the erection of said awning: *Provided*, The same shall be erected under their supervision, and that the sum of fifty (50) dollars shall be paid by the Post-office Department into the City Treasury for the publication of this ordinance: and that the said awning shall be removed at any time on the passage of a resolution or ordinance to that effect without notice.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twelfth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize Dungan, Hood and Company to construct and maintain a railroad siding on the West side of American street, south of Susquehanna avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Dungan, Hood and Company, leather manufacturers (engaged in business at the southwest corner of American street and Susquehanna avenue), are hereby authorized to construct and maintain a railroad siding on the west side of American street, connecting with the tracks of the North Pennsylvania Railroad Company on said street, at a point beginning at a distance of seventy-nine feet south of Susquehanna avenue, thence to the west side of American street, according to a plan herewith submitted, and extending along west side of American street southward to a point at distance of three hundred and fifty feet one inch, southward from the south side of Susquehanna avenue: *Provided*, That the said siding shall be removed at any time on the passage of an ordinance or resolution to that effect, and that fifty (50) dollars shall be first paid into the City Treasury by said Dungan, Hood and Company to pay for printing this ordinance.

Approved the thirteenth day of April, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE.

To authorize certain transfers in the annual appropriation to the Department of Charities and Correction, (Bureau of Correction), for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is hereby authorized to make the following transfers in the annual appropriation to the Department of Charities and Correction (Bureau of Correction), for the year 1894: from Item 31, boilers and cauldrons, and repairs to boilers, walls

and furnaces, four hundred (400) dollars; to Item 1, salaries (with board) two hundred and forty (240) dollars; to pay salary of a nurse from May 1st, at the rate of three hundred and sixty (360) dollars per annum; to Item 21, for furniture, steam fitting and miscellaneous articles, one hundred and sixty (160) dollars for necessary furniture and appliances for nursery.

Approved the eighth day of May, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To approve the contract and surety of Riter & Conley for furnishing twenty-four (24) tubular boilers for the new pumping station in East Fairmount Park, below Wissahickon creek.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of Riter & Conley for furnishing twenty-four (24) tubular boilers for the new pumping station in East Fairmount Park, below Wissahickon creek be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said Riter & Conley for the faithful performance of the said contract.

Approved the tenth day of May, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance approved April 9, 1894, entitled "An Ordinance to authorize the repaving of certain streets, the construction of sewers and the laying or relaying of gas or water pipe therein, and for work contingent therewith."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved

April 9, 1894, entitled "An Ordinance to authorize the repaving of certain streets, the construction of sewers, and the laying or relaying of gas or water pipe therein, and for work contingent therewith," be altered and amended in so far as it relates to the repaving of Jacoby street, from Cherry to Monterey street, in the Tenth Ward, by providing that said street shall be repaved with sheet asphaltum instead of granite blocks, and by striking out the words "Girard avenue," and inserting the words "Wildey street," relative to the repaving of Vienna street, and by adding under the streets to be repaved with sheet asphaltum the words "East Susquehanna avenue, from Thompson to Belgrade street," and by inserting after the words "Crown street, from Race to Vine street," the following: "the old granite blocks taken therefrom to be used in repaving Crown street, from Vine to Callowhill street."

Approved the eleventh day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize the construction of sewers in Catharine, Centre, Fifty-second, Lena, Sedgwick, Seventh and Wister streets, and Stenton avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, viz: On Catharine street, from Seventh street to Eighth street; across private property on the line of Centre street from the Wingohocking sewer at Cedar lane to and under the Chestnut Hill branch of the Reading Railroad, thence along Centre street to Wilson street; Fifty-second street, from Columbia avenue to Elm avenue, to be built and assessed on the west side only; Lena street, from Wister street to Collom street; Sedgwick street, from Chew street to German-town avenue; Seventh street, from Dauphin street to York street; across private property on the line of Stenton avenue from the Wingohocking sewer at Bellfield avenue to Wister street, thence along Wister street to Rubican street.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1865, and supplement thereto, approved February 16, 1869; any excess over and above said assessment in addition to that provided for by ordinance, entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys), to an amount not exceeding the sum of eight thousand (8,000) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance, except on Stenton avenue, the undedicated portion of Centre street and Lena street, until the streets are on the City plan, legally opened and all the properties abutting thereon assessed to full City rates: *Provided*, however, that where properties are assessed at less than full City rates and the streets on the plans are opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding owners to pay the regular assessment charges: *And provided, also*, That this section shall not apply to the sewers on said Stenton avenue, and on Lena and Centre streets.

SECT. 4. That the Mayor be authorized and requested to enter security on behalf of the City of Philadelphia to indemnify owners of private property through which the sewers on Stenton avenue, from Bellfield avenue to Wister street, and on the line of Centre street from Cedar lane to the westerly side of the Chestnut Hill branch of the Reading Railroad will pass, against damages by reason of the construction of said sewers.

Approved the eleventh day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make appropriations for, and to authorize the construction of certain new bridges, and to authorize the Director of the Department of Public Works to appoint inspectors and pay for inspection, and authorizing the Mayor to enter security for damages to private property.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into contracts for the construction of new bridges, as follows: Over the Schuylkill river at Falls of Schuylkill, near the site of the old bridge; on the line of Girard avenue, over Pennsylvania avenue; on the line of Forty-ninth street, over the West Chester and Philadelphia Railroad; on the line of Seventeenth street, under the Connecting Railway; on the line of Duval street, under and on the line of Wayne street, over the Germantown and Chestnut Hill branch of the Pennsylvania Railroad; at the intersection of Sixth street and Allegheny avenue, over the Richmond branch of the Philadelphia and Reading Railroad; on the line of Torresdale avenue, over Pennypack creek; on the line of Torresdale avenue, under the Bustleton branch of the Pennsylvania Railroad; on the line of Bridge street, over Frankford Creek; on the line of Sixty-third street, over the Philadelphia, Wilmington and Baltimore Railroad; on the line of Wyoming avenue, over Frankford creek and Fisher's lane; on the line of Evergreen avenue, over the Germantown and Chestnut Hill branch of the Philadelphia and Reading Railroad; on the line of Magnolia avenue, under the Germantown and Chestnut Hill Branch of the Philadelphia and Reading Railroad; for the construction of abutments and piers for bridges on the line of Thirty-third street, over the Philadelphia and Reading Railroad and over the Connecting Railway.

SECT. 2. That the following sums to be taken from the items for new bridges in the annual appropriation to the Department of Public Works, Bureau of Surveys be, and are hereby set aside for the construction of said bridges: For bridge over the Schuylkill river at Falls of Schuylkill, three hundred thousand (300,000) dollars; Girard avenue, over Pennsylvania avenue, twenty-eight thousand (28,000) dollars;

Forty-ninth street over the West Chester and Philadelphia Railroad, twenty-five thousand (25,000) dollars : Seventeenth street under the Connecting Railway, fifty thousand (50,000) dollars ; Duval street under Wayne street over the Germantown and Chestnut Hill Branch of the Pennsylvania Railroad, fifty thousand (50,000) dollars ; Intersection of Sixth street and Allegheny avenue over the Richmond Branch of the Philadelphia and Reading Railroad, eighty thousand (80,000) dollars : Torresdale avenue over Pennypack Creek, sixty thousand (60,000) dollars ; Torresdale avenue under the Bustleton Branch of the Pennsylvania Railroad, fifteen thousand (15,000) dollars : Bridge street over Frankford Creek, twenty-five thousand (25,000) dollars ; Sixty-third street over the Philadelphia, Wilmington and Baltimore Railroad, twenty-five thousand (25,000) dollars ; Wyoming avenue over Frankford creek and Fisher's lane, fifty thousand (50,000) dollars ; Evergreen avenue, over the Germantown and Chestnut Hill branch of the Philadelphia and Reading Railroad, four thousand (4,000) dollars : Magnolia avenue under the Germantown and Chestnut Hill branch of the Philadelphia and Reading Railroad, three thousand (3,000) dollars : abutments and piers for bridges on the line of Thirty-third street, over the Philadelphia and Reading Railroad, and over the Connecting Railway, seventy thousand (70,000) dollars : *Provided*, That in the event of any of the aforesaid bridges costing less than the sums herein set aside for their construction, the Director of the Department of Public Works is hereby authorized, at his discretion, to use the said balances or any part thereof, for the completion of any of the bridges herein named, for which the sum set aside is insufficient.

SECT. 3. That the Director of the Department of Public Works be, and is hereby authorized and directed to advertise for proposals and to award contracts, as provided by existing ordinances and laws, for the construction of the said bridges, and in accordance with drawings and specifications to be prepared by the Department of Public Works.

SECT. 4. That the Director of the Department of Public Works be, and is hereby directed to appoint inspectors as may be requisite, and to pay for inspection, transportation and incidental expenses, charged to the appropriations for the construction of the said bridges.

SECT. 5. That the Mayor is hereby authorized to enter

security on behalf of the city, to indemnify the owners of private property who may be injured by reason of the construction of the said bridges.

Approved the eleventh day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To place Park avenue and Rush street on the City plan.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Park avenue, of the width of thirty feet, from Clearfield street to Sedgley avenue, and Rush street, of the width of thirty feet, from Park avenue to Broad street: *Provided*, That the owners of ground within the lines of said streets shall first dedicate the same as public highways, or shall file a bond or enter into a written agreement satisfactory to the City Solicitor indemnifying the City against all damages that may arise by reason of the placing of the said streets on the plan or their opening, before this ordinance shall go into effect.

Approved the eleventh day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To revise the lines and grades of the territory bounded by Broad street, Twelfth street, Clearfield street, and the Connecting Railroad, in the Thirty-seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of the territory bounded by Broad street, Twelfth street, Clearfield street, and the Connecting Railroad, in the Thirty-seventh



Ward: *Provided*, The owners of property will agree that such revision shall be at no expense to the City of Philadelphia.

Approved the eleventh day of May, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To approve the contract and surety of George S. Good and Company, for the construction of a main sewer on Indiana street between the present terminus west of Twenty-second street and Twenty-fourth street, and on Twenty-fourth street between Indiana street and the present terminus south of Indiana street; the contract and surety of James Sullivan for the construction of a main sewer on Ontario street between the Aramingo canal and the Delaware river; the contract and surety of George L. Harvey, for the erection of Municipal Veterinary Stables upon a certain lot at Eleventh and Wharton streets; the supplemental contract and surety of Thomas M. Seeds, Jr., for the erection of a Fire House on the south side of Market street, west of Twenty-first street; the contract and surety of Thomas C. Trafford, for the erection of a Sponge House at the Point Breeze Gas Works, and the contract and surety of M. McManus, for the erection of a Police and Patrol Station House at Mintzer street and Fairmount avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of George S. Good and Company for the construction of a main sewer on Indiana street between the present terminus west of Twenty-second street and Twenty-fourth street, and on Twenty-fourth street, between Indiana street and the present terminus south of Indiana street be, and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety of the said George S. Good & Company, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed

in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz. : For circular brick sewer 7 feet in diameter, per linear foot, including all appurtenances, the sum of thirty (30) dollars and fifty (50) cents; for separating chamber complete, including all appurtenances, the sum of eleven hundred (1,100) dollars; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of twenty-seven thousand (27,000) dollars.

That the contract of James Sullivan for the construction of a main sewer on Ontario street between the Aramingo canal and the Delaware river, be, and the same is hereby approved; and that The City Trust, Safe Deposit and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said James Sullivan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For circular brick sewer, 8 feet in diameter, per linear foot, including all appurtenances, the sum of nineteen (19) dollars and eighty-three (83) cents; for circular brick sewer, 7 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of nineteen (19) dollars and eighty-three (83) cents; for circular brick sewer, 7 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum

of nineteen (19) dollars and eighty-three (83) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra-cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and (10) cents; for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of seventy-five thousand (75,000) dollars.

That the contract of George L. Harvey, for the erection of Municipal Veterinary Stables upon a certain lot at Eleventh and Wharton streets, for the Bureau of City Property, be and the same is hereby approved, and that The Tradesmens Trust and Saving Fund Company, of Philadelphia, be, and it is hereby approved as surety of the said George L. Harvey, for the faithful performance of the said contract.

That the supplemental contract of Thomas M. Seeds, Jr., for the erection of a Fire House on the south side of Market street, west of Twenty-first street, be and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said Thomas M. Seeds, Jr., for the faithful performance of the said contract.

That the contract of Thomas C. Trafford, for the erection of a Sponge House at the Point Breeze Gas Works, for the Bureau of Gas, be and the same is hereby approved, and that The Citizens Trust and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said Thomas C. Trafford, for the faithful performance of the said contract.

And that the contract of M. McManus, for the erection of a Police and Patrol Station House at Mintzer street and Fair-

mount avenue, for the Bureau of City Property, be, and the same is hereby approved, and that the Real Estate Title Insurance and Trust Company, of Philadelphia, be, and it is hereby approved as surety of the said M. McManus, for the faithful performance of the said contract.

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### A SUPPLEMENT

To an ordinance entitled "An Ordinance relating to nuisances," approved September 23, 1864, relating to awnings, cellar-doors, and placing merchandise on or over the footways and on Fifteenth street, between Market and Walnut streets.

WHEREAS, The articles of merchandise suspended over the footways on Fifteenth street, from Market south to Walnut street, have by reason of the increased travel on said street become a great inconvenience, vexatious and obnoxious, to the persons using that street; therefore

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the following are hereby declared to be nuisances: To place, extend or hang any goods, wares or merchandise of any description, whether for sale or otherwise, or to erect or maintain any awning-post or posts, or any other contrivance for the purpose of placing wings, curtains or signs thereon, or to place or maintain any cellar-door which shall extend above the level of the footways on Fifteenth street, from Market street to Walnut street, in the City of Philadelphia.

SECT. 2. Any person or persons who shall violate any of the provisions of this ordinance shall for each offence be liable to a penalty of twenty (20) dollars, to be recovered in the manner that penalties for breach of Ordinance are by law recoverable. That all ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize certain transfers in the annual appropriation to the Department of Public Safety, Bureaus of Fire and City Property, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and is hereby authorized and directed to make the following transfers in the annual appropriation to the Department of Public Safety, Bureaus of Fire and City Property, for the year 1894, as follows: Bureau of Fire, from Item 1, for salaries, four thousand one hundred and forty-two (4,142) dollars. To Item 4, for repairs and supplies, two thousand (2,000) dollars in the Bureau of Fire; to Item 27, for the erection of fire house Fourth and Girard avenue, two thousand one hundred and forty-two (2,142) dollars in the Bureau of City Property

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the construction of sewers on Manayunk, Warrington, and Windsor avenues, Forty-ninth, Hoffman, Moravian, York, Washington, Duval, Greene, and Johnson streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, namely: on Forty-ninth street, between Baltimore avenue and Springfield avenue; Hoffman street, from Seventh street to Eighth street; Manayunk avenue, from Shurs lane to Kalos street; Moravian street, from Seventeenth to Eighteenth streets; Warrington avenue and on Windsor avenue, from Forty-eighth street to Forty-ninth street; York street, from Seventh street to Germantown avenue; and also connections to the Lincoln avenue Intercepting Sewer, partly upon private property, on the lines of Washington street,

from Lincoln avenue to Wayne avenue: on the lines of Duval street, between Wayne avenue and Greene street; on Greene street, between Johnson street and Washington street; on Johnson street, between Greene street and Adams street.

SECT. 2. The Director of the Department of Public Works shall advertise, according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers, in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment in addition to that provided for by ordinance entitled "An ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of eighteen thousand and two hundred (18,200) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for construction of any of the sewers authorized by this ordinance until the streets are on the City plan, legally opened, and all property abutting thereon assessed to full City rates: *Provided, however,* That where properties are assessed at less than full City rates, and streets on the plan are opened, he may advertise and award contracts on receipt of a duly executed agreement to pay the required assessment charges: *And provided also,* That this section shall not apply to the sewers on said lines of Washington street and Duval street.

SECT. 4. That the Mayor be authorized and requested to enter security on behalf of the City of Philadelphia, to indemnify the owners of private property through which sewers on the lines of Washington street and Duval street, from Lincoln avenue to Greene street, will pass, against damages by reason of the construction of said sewers.

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To approve the contract and surety of John Kerrigan for the construction of a main sewer on Upsal street, between the stream near Musgrove street and Ross street, and on Ross street between Upsal street and Sharpnack street; the contract and surety of McCourt and Lavery for the construction of a main sewer on Commercial avenue between Wolf street and Ritner street, and on Ritner street east of Commercial avenue: the contract and surety of B. E. Malone for the construction of a main sewer on Cresson street from the end of the present sewer to Sunnyside avenue, and on Sunnyside avenue from Cresson street to Thirty-fourth street; the contract and surety of C. P. Grim and Company for the construction of a certain extension of the main sewer on Thirty-third street between the terminus of the present sewer north of Sansom street and Market street; the contract and surety of C. P. Grim and Company for the construction of a certain extension of the Fifty-first street main sewer from the terminus of the present sewer southeast of the West Chester Railroad to Fiftieth street and Springfield avenue, on Springfield avenue to Forty-ninth street, and on Fiftieth street between Springfield avenue and Florence avenue; the contract and surety of James Sullivan for the construction of a main sewer in Aramingo canal between the present terminus south of Lehigh avenue and Somerset street; the contract and surety of Michael O'Rourke for the construction of a main sewer in Aramingo canal, from Somerset street to Ann street; and the contract and surety of James Sullivan for the construction of a main sewer on Green street between Berkley street and West Logan street, on West Logan street from Green street to Royal street, on Royal street to Seymour street, on Seymour street between Royal street and Germantown avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of John Kerrigan for the construction of a main sewer on Upsal street between the stream near Musgrove street and Ross street and on Ross street between Upsal street and Sharpnack street, be and the same is hereby approved, and that The Equitable Trust Company, of Philadelphia, be and it is hereby approved

as surety of the said John Kerrigan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz.: For circular brick sewer, 4 feet 6 inches in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for circular brick sewer, 4 feet 9 inches in diameter, per linear foot, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of five thousand seven hundred (5,700) dollars.

That the contract of McCourt and Laverty for the construction of a main sewer on Commercial avenue, between Wolf street and Ritner street, and on Ritner street east of Commercial avenue, be and the same is hereby approved, and that the West Philadelphia Title and Trust Company, of Philadelphia, be and it is hereby approved as surety of the said McCourt and Laverty for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz.: For circular brick sewer 8 feet in diameter, per linear foot, including all appurtenances, the sum of thirty-nine (39) dollars



and eighty-one (81) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twenty-four thousand (24,000) dollars.

That the contract of B. E. Malone for the construction of a main sewer on Cresson street, from the end of the present sewer to Sunnyside avenue, and on Sunnyside avenue, from Cresson street to Thirty-fourth street, be and the same is hereby approved, and that the Equitable Trust Company, of Philadelphia, be and it is hereby approved as surety of the said B. E. Malone for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For circular brick sewer, 4 feet in diameter, with stone block bottom, and with 10-inch terra-cotta pipe, per linear foot, including all appurtenances, the sum of eleven (11) dollars and sixty (60) cents; for brick sewer 4 feet by 2 feet 8 inches in diameter, with stone block bottom, and with 10-inch terra-cotta pipe, per linear foot, including all appurtenances, the sum of eight (8) dollars and fifty-two (52) cents; for brick sewer 3 feet 6 inches by 2 feet 4 inches in diameter, with stone block bottom, and with 10-inch terra-cotta pipe, per linear foot, including all appurtenances, the sum of six (6) dollars and fifty-five (55) cents; for each No. 1 brick and stone inlet the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the

sum of eighty-seven (87) dollars: for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents: for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents: for additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents: for additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents: for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twelve thousand five hundred (12,500) dollars.

That the contract of C. P. Grim and Company for the construction of a certain extension of the main sewer on Thirty-third street, between the terminus of the present sewer north of Sansom street and Market street, be, and the same is hereby approved, and that The American Surety Company, of New York, be, and it is hereby approved as surety of the said C. P. Grim and Company for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices viz: For circular brick sewer 6 feet in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of eighteen (18) dollars: for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars: for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents: for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for

additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of ten thousand (10,000) dollars.

That the contract of C. P. Grim and Company, for the construction of a certain extension of the Fifty-first street main sewer from the terminus of the present sewer southeast of the West Chester Railroad to Fiftieth street and Springfield avenue, on Springfield avenue to Forty-ninth street, and on Fiftieth street, between Springfield avenue and Florence avenue, be and the same is hereby approved, and that the American Surety Company, of New York, be, and it is hereby approved as surety of the said C. P. Grim and Company for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz.: For circular brick sewer 4 feet 6 inches in diameter, special section, per linear foot, including all appurtenances, the sum of fourteen (14) dollars and fifty (50) cents; for brick sewer 3 feet 3 inches by 2 feet 3 inches diameters, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of three (3) dollars and seventy (70) cents; for brick sewer 2 feet 3 inches by 1 foot 6 inches diameters, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of three (3) dollars and twenty-five (25) cents; for each No. 1 brick and stone inlet the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and

ten (10) cents ; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of nine thousand five hundred (9,500) dollars.

That the contract of James Sullivan for the construction of a main sewer in Aramingo canal, between the present terminus south of Lehigh avenue and Somerset street, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said James Sullivan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz. ; for circular brick sewer, 5 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of twenty-four (24) dollars and eighty (80) cents ; for circular brick sewer, 5 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum of twenty-four (24) dollars and eighty (80) cents ; for circular brick sewer, 3 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum of sixteen (16) dollars and eighty (80) cents ; for circular brick sewer, 3 feet in diameter, per linear foot, including all appurtenances, the sum of sixteen (16) dollars and (80) cents ; for inclined piles, capped and in place, per pile, the sum of ten (10) dollars ; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars ; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars ; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars ; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of five (5) dollars and fifty (50) cents ; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents ; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents ; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents ; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents ; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and

thirty five (35) cents : the total cost of the work to be done shall not exceed the sum of twenty-seven thousand (27,000) dollars.

That the contract of Michael O'Rourke for the construction of a main sewer in Aramingo canal, from Somerset street to Ann street be, and the same is hereby approved, and that The Citizens' Trust and Surety Company, of Philadelphia, be and it is hereby approved as surety of the said Michael O'Rourke for the faithful performance of the said contract : *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor, for the following sums or prices, viz. : For sewer 6 feet in diameter, on piles and platform, per linear foot, including all appurtenances, the sum of thirty (30) dollars ; for sewer 6 feet in diameter, as per plan, without piles and platform, per linear foot, including all appurtenances, the sum of fourteen (14) dollars : for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars ; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars ; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars ; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars : for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents : for inclined piles, capped and in place, per pile, the sum of six (6) dollars ; for furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents ; for additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents ; for additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents : for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of forty-one thousand (41,000) dollars.

And that the contract of James Sullivan for the construction of a main sewer on Green street between Berkley street and West Logan street, on West Logan street from Green street to Royal street, on Royal street to Seymour street, on Seymour street between Royal street and Germantown avenue, be and the same is hereby approved, and that The City Trust,

Safe Deposit and Surety Company, of Philadelphia, be and it is hereby approved as surety of the said James Sullivan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz.: For circular brick sewer, 4 feet 6 inches in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of seven (7) dollars and ninety (90) cents; for circular brick sewer, 4 feet 3 inches in diameter, with vitrified brick or stone block bottom, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety (90) cents; for circular brick sewer, 3 feet 6 inches in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety (90) cents; for Junction Chamber complete, including all appurtenances, the sum of two hundred and fifty (250) dollars; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents: the total cost of the work to be done shall not exceed the sum of twenty thousand (20,000) dollars.

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To provide for an additional Page for Select Council and an additional Page for Common Council.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the President of Select Council be, and he is hereby authorized to appoint an additional Page of Select Council, and the President of Common Council an additional Page of Common Council, the compensation to be one hundred (100) dollars per year each, and to be charged to Item 7, incidentals, in the annual appropriation to the Clerks of Councils.

Approved the twenty-third day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

Authorizing the Union Passenger Railway Company and its lessee to make further extensions and to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Union Passenger Railway Company in accordance with its charter, is hereby authorized to lay a single track on Ninth street from Lehigh avenue to Cambria street, and on Cambria street to Broad street, and on Huntingdon street from Ninth street to Thirteenth street, and Twenty-third street from Brown to Poplar; Norris street from Memphis to Thompson, and on Susquehanna avenue from Coral to Otis street ferry, and thence returning with additional track to Thompson street, with the necessary curves and switches, and it and its lessee, the Philadelphia Traction Company, are hereby authorized to use electric motors as the propelling power of the cars, with the necessary standards and appliances needed to operate the same by overhead wires, subject to the conditions of the Union Passenger Railway ordinance, approved March 30, 1893, and that the work shall be commenced within one year and completed within two years

after the passage of this ordinance, and that fifty (50) dollars be paid for the printing of this ordinance.

Approved the twenty-fourth day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize James Elverson to erect on sidewalk of Hunter street, at the rear of his property, 1109 Market street, a steel stack.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby given to James Elverson to erect on the sidewalk on the south side of Hunter street, west of Eleventh street, at the rear of his property, 1109 Market street, a steel stack which shall not exceed four (4) feet by two (2) feet in size, and shall extend above the roof of his own and the surrounding properties. The plan and construction of said stack to be subject to the approval of the Bureau of Building Inspectors: *Provided*, That the said stack shall be removed at any time on the passage of a resolution or ordinance to that effect without notice, and that the said James Elverson shall first pay the sum of fifty (50) dollars into the City Treasury for the printing of this ordinance.

Approved the twenty-fifth day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To amend the several ordinances granting permission to the passenger railway or traction companies of the City of Philadelphia the right to construct and operate the overhead electrical trolley roads under certain conditions, so far as relates to the repaving of streets with improved pavements.

WHEREAS, These Councils, by ordinances passed and which have been approved, have granted permission to the several



passenger railways and traction companies of the City of Philadelphia, the right to construct and operate the overhead electrical trolley system for propelling the cars of their several roads, and

WHEREAS, The ordinances granting these permissions and the contracts which have been entered into under the authority of these ordinances specifically provide that the several passenger railway and traction companies upon whom these privileges have been granted shall repave simultaneously with the construction of their several trolley lines with improved pavement, all streets and avenues traversed by their several lines, under such conditions and regulations as may be imposed by the Department of Public Works, and

WHEREAS, A portion of the work of repaving relates to rural and suburban sections where the underground services such as sewers, water, gas and other constructions of a similar nature have not been completed and cannot be completed until such times as the property owners shall agree to pay for the same, or until such times as the properties shall have been raised to full rate of taxation, and

WHEREAS, It is not deemed advisable to push the work of repaving in these suburban and rural sections in advance of the completion of the underground services, which could only result in the continually tearing up and repaving of these improved pavements for the purpose of introducing and completing piecemeal such underground services as shall be required, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain:* That in all cases where these Councils have by ordinance conferred upon any of the several passenger railway or traction companies of the City of Philadelphia the right to construct and operate the overhead trolley system for propelling cars, and where the several railway or traction companies upon whom these privileges have been conferred have complied with the conditions of the said several ordinances, and have entered the security required and executed the contracts provided for under the terms and conditions of said ordinance, and have in all other respects complied fully with the requirements of the departments, then and in that event the said several ordinances be and they are hereby so altered and amended (in so far as they relate to the railway or traction companies whose roads are now constructed and

operated by horses), as to provide and permit that the Mayor of the City of Philadelphia shall have the right to so alter and modify or amend the contracts therein or herein authorized as to provide that in all cases where streets or avenues along which it is proposed to construct the overhead electrical trolley system shall run through the sections of the city which are strictly rural or suburban, and where the properties are assessed at rural, suburban, or farm rates, the company or companies having such privileges shall be permitted, after the construction of their trolley lines, to relay, in a manner satisfactory to the Department of Public Works, the old pavement or paving, without requiring the laying of an improved pavement: *Provided*, It is expressly understood and agreed upon that before availing themselves of the benefits accruing from this proposed modification of the original ordinances or contracts, that the said several railway or traction companies shall enter into a supplemental contract binding themselves hereafter wherever they may construct and operate their trolley system in suburban or rural sections, that as rapidly as the properties along the lines of the said streets or avenues which are now assessed at suburban, rural, or farm rates, shall have been raised to full rate assessment, or when the Department of Public Works has completed to its satisfaction the underground services which may be required for water, gas, drainage and other purposes, then the several passenger railway or traction companies shall be obligated and bound as they shall be directed by the Department of Public Works to take up the old pavement and repave said streets and avenues with such improved pavement as the Department may require: *Provided*, That nothing contained in this ordinance shall apply to any street or avenue upon which rails are not yet laid: *Provided also*, That the companies accepting the provisions of this ordinance shall first enter into a new contract in conformity to the same, and file a new bond in the same amount required by the original ordinances, to which this is amendatory.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed, altered or amended, as the case may require, so that they shall not conflict.

Approved the twenty-sixth day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize a temporary loan for the sum of one hundred and thirty-eight thousand five hundred and sixty-six dollars for the purpose of fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors by the Commissioners for the erection of the Public Buildings." approved April 3, 1894, for repaving streets not occupied by passenger railways and for general purposes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to authorize a temporary loan for the sum of one hundred and thirty-eight thousand five hundred and sixty-six dollars for the purpose of fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors by the Commissioners for the erection of the Public Buildings, approved April 3, 1894, which reads as follows:

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Treasurer, under the supervision of the Committee on Finance, is hereby authorized to borrow on the credit of the City of Philadelphia, a sum not exceeding one hundred and thirty-eight thousand five hundred and sixty-six dollars, for the purpose of fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors, by the Commissioners for the erection of the Public Buildings, redeemable at or within four months of the date of said loan; for which sum so borrowed, certificates of City debt shall be issued in the form prescribed in existing ordinances, bearing interest at a rate not exceeding four per centum per annum, and which shall be transferable in the same manner as other certificates of said debt, be amended so as to read as follows:

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Treasurer, under the supervision of the Committee on Finance, is hereby authorized to borrow on the credit of the City of Philadelphia a sum not exceeding five hundred thousand dollars, of which the sum of one hundred and thirty-eight thousand five hundred and sixty-six dollars shall be used for the purpose of

fitting up the Councils Chambers and the appurtenant committee rooms, stairs, galleries and corridors by the Commissioners for the erection of the Public Buildings, and the sum of three hundred and sixty-one thousand four hundred and thirty-four dollars shall be used for general purposes, viz. : One hundred and forty thousand dollars thereof for repaving, with improved pavement, streets not occupied by passenger railways, and the balance thereof for such purposes as may hereafter be prescribed by ordinances."

Approved the thirty-first day of May, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to certain items in the annual appropriation to the Department of Public Works, Bureaus of Gas, Highways, and Surveys for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one million one hundred thousand (1,100,000) dollars be, and the same is hereby appropriated out of loan authorized by an ordinance to create a loan of one million one hundred thousand (1,100,000) dollars for repaving with improved pavements streets not occupied by passenger railways, main sewers, and extensions of the gas works, approved April 3, 1894, to certain items in the annual appropriation to the Department of Public Works, Bureaus of Gas, Highways, and Surveys for the year 1894, as follows: Department of Public Works, Bureau of Gas, to new Item 6 $\frac{1}{2}$ , for extensions of gas works, two hundred and fifty thousand (250,000) dollars; Bureau of Highways, to new Item 26 $\frac{1}{2}$ , for repaving, with improved pavement, streets not occupied by passenger railways, four hundred and ten thousand (410,000) dollars; Bureau of Surveys, to new Item 30, for main sewers, four hundred and forty thousand (440,000) dollars: *Provided*, That when two hundred and fifty thousand (250,000) dollars so appropriated (or

any portion of it) is spent in the improvement of the said gas works of the City of Philadelphia, that the said works, or any part of them, shall not be leased to any corporation or individual for the manufacture of gas.

Approved the eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to certain items in the annual appropriations to the Department of Public Works, Bureaus of Gas, Surveys, and Water, and Board of Public Education for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of three million (3,000,000) dollars be, and the same is hereby appropriated out of loan of three million (3,000,000) dollars, authorized for purchasing school lots and erecting school buildings, extensions of water works, extensions of gas works, and the construction of main sewers, branch sewers, and new bridges, approved April 3, 1894, to certain items in the annual appropriations to the Department of Public Works, Bureaus of Gas, Surveys, and Water, and Board of Public Education for the year 1894, as follows: Department of Public Works—Bureau of Gas, to new Item 6½, for extensions of the gas works, three hundred and fifty thousand (350,000) dollars; Bureau of Surveys, to new Item 30, for main sewers, five hundred thousand (500,000) dollars; to new Item 31, for branch sewers, three hundred thousand (300,000) dollars; to new Item 32, for new bridges, seven hundred and forty thousand (740,000) dollars; Bureau of Water, to new Item 10½, for extensions of the water works, three hundred and sixty thousand (360,000) dollars; Board of Public Education, to new Item 55½, for the purchase of lots and the erection of buildings for school purposes, seven hundred and fifty thousand (750,000) dollars: *Provided,* That the several sums of money appropriated by this ordinance shall be subject to sub-

division for such specific work as Councils shall by ordinance hereafter direct: *Provided*, That when the three hundred and fifty thousand (350,000) dollars so appropriated (or any portion of it) is spent in the improvement of the said gas works of the City of Philadelphia, that the said works, or any part of them, shall not be leased to any corporation or individual for the manufacture of gas.

Approved the eighth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting permission to the Northern Ice Manufacturing Co. to construct a platform scale on Eleventh street above Dauphin street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to the Northern Ice Manufacturing Co. to construct a platform scale on the sidewalk on the west side of Eleventh street just above Dauphin street, in the Thirty-seventh Ward; the said scale to be constructed under the supervision and approval of the Director of Public Works, and shall be removed at any time without notice upon the passage of a resolution or ordinance to that effect: *Provided*, That the sum of fifty (50) dollars first be paid into the City Treasury for printing this ordinance.

Approved the eleventh day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Hazel and Windsor avenues, Fifty-sixth, Pine, South, Leamy, Ontario and Rohrer streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-

ment of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City and construct the necessary drains, viz.: Hazel avenue, from Sixty-first to Sixty-second street; Windsor avenue, from Forty-eighth to Forty-ninth street; Fifty-sixth street, from Hoffman avenue to Whitby avenue; Pine street, from Sixtieth to Sixty-first street; South street, from Sixtieth to Sixty-second street; Leamy street, from Indiana to Clearfield street; Ontario street, from H to G street; Rohrer street, from Indiana to Clearfield street. The cost of said work shall not exceed nine thousand (9,000) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets shall be first dedicated or properly opened: *And further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To amend a portion of ordinance approved March 30, 1894, authorizing the grading of Elmwood avenue, from Sixty-seventh street to Island road.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance approved March 30, 1894, as authorizes the grading of Elmwood avenue, from Sixty-seventh street to Island road, be amended by striking out the words and figures "nine thousand three hundred (9,300) dollars," and inserting in lieu thereof the words and figures "sixteen thousand (16,000) dollars."

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Amending an ordinance entitled "An ordinance to regulate the construction of frame buildings, fences and bay windows," approved March 28, 1894.

SECTION. 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Section 1 of an ordinance entitled "An Ordinance to regulate the construction of frame buildings," etc., approved March 28, 1894, be, and the same is hereby amended by inserting after the word "beginning" in the twenty-third line the words "and all that portion of the Twenty-first Ward lying between the Wissahickon creek, Wissahickon avenue and School lane," so that the same will read "Thence along Schuylkill river to place of beginning, and all that portion of the Twenty-first Ward lying between the Wissahickon creek, Wissahickon avenue and School lane."

Also, amend Section 2 by adding the following words at the end of the Section; and in addition thereto: "Any person or persons who shall make any alteration, construction or removal without permit therefor first issued, or in violation of any of the provisions of this ordinance, or who shall have become the owner thereof after the same has been so done, and who shall omit, neglect or refuse to remove the same within thirty (30) days after notice to that effect, shall forfeit and pay for each offence the sum of seventy-five (75) dollars, and a further sum of twenty-five (25) dollars for every period of one month for which the said person or persons shall omit, neglect or refuse to remove the same after the expiration of the notice aforesaid, and any person or persons who shall contract for the erection or construction of any building or other thing in violation of any of the provisions of this ordinance, shall be subject to a penalty of twenty-five (25) dollars; all of the aforesaid penalties to be recovered as penalties of equal amount are or shall be recoverable for the use of the City.

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize certain transfers in the annual appropriations to the Department of Public Safety (Bureau of Health), and Board of Public Education, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is hereby authorized and directed to make the following transfers, viz: from item 1, for salaries, one hundred (100) dollars; to item 16, for payment of magistrates and constables fees in actions under the law and ordinances to secure pure milk supply, in the annual appropriation to the Department of Public Safety (Bureau of Health), for the year 1894; from item 54, for the removal of dangerous walls from the Paschalville school, and rebuilding the same, ten hundred and fourteen (1014) dollars; to item 11, for general repairs and alterations, for the purpose of making certain necessary repairs in the Twenty-seventh Section, in the annual appropriation to the Board of Public Education for said year.

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize certain transfers from certain items in the annual appropriations to the Departments of Public Works, Public Safety and City Commissioners for the year 1894, to certain items in the annual appropriations to the Departments of Public Works, Public Safety, City Treasurer and Charities and Correction, Clerk of the Courts of Quarter Sessions and Oyer and Terminer, and Clerks of Councils, for said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers, viz.: Bureau of City Ice Boats, from Item 1, for repairs, etc., two thousand five hundred (2,500) dollars; from Item 2, for fuel, six thousand (6,000) dollars; from Item 4, for provisions, one thousand five (1,500) dollars; Bureau of Highways, from Item 13, for repairing and repaving, etc., twelve thousand (12,000)

dollars, in the annual appropriation to the Department of Public Works for the year 1894; Electrical Bureau, from Item 1, for salaries, three hundred and ninety-one (391) dollars; Bureau of City Property, from Item 35, for new fire house, five thousand (5,000) dollars, in the annual appropriation to the Department of Public Safety for said year; from Item 33, for taking down election booths, eight thousand (8,000) dollars, in the annual appropriation to the Department of City Commissioners for said year, in all thirty-five thousand three hundred and ninety-one (35,391) dollars.

To new Item 21 $\frac{1}{2}$  (Bureau of Highways) for sprinkling Monument road and City avenue, one thousand two hundred (1,200) dollars, in the annual appropriation to the Department of Public Works for the year 1894; Bureau of Health, to Item 9, for the care of patients, etc., three thousand five hundred (3,500) dollars; Bureau of City Property, to Item 1, for salaries, to pay eight officers for public squares from June 1 to November 1, 1894, at the rate of two (2) dollars and twenty-five (25) cents per day, each, two thousand seven hundred and fifty (2,750) dollars; to Item 38, for the erection of fire station, Twenty-sixth and York streets, five thousand three hundred and ninety-one (5,391) dollars, in the annual appropriation to the Department of Public Safety for said year; Bureau of Charities, to Item 32, for repairs to houses, plumbing, etc., four thousand eight hundred and five (4,805) dollars and eighty-seven (87) cents, in the annual appropriation to the Department of Charities and Correction for said year; to new Item 11, to defray the expenses incident to celebrating the Fourth of July, 1894, ten thousand (10,000) dollars in the annual appropriation to the Clerks of Councils for said year; to Item 4, to pay balance due "The Times" and "Evening Bulletin" for publication of applications for liquor licenses, two thousand two hundred and fifty-nine (2,259) dollars and twenty (20) cents, in the annual appropriation to the Clerk of the Quarter Sessions and Oyer and Terminer, for said year; to Item 4, for interest due July 1, 1894, on loan of April 3, 1894, of one million one hundred thousand (1,100,000) dollars, five thousand four hundred and eighty-four (5,484) dollars and ninety-three (93) cents, in the annual appropriation to the Department of City Treasurer for said year.

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to certain items in the annual appropriations to the Departments of Public Works, Public Safety, Law, and City Commissioners, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and ninety-six thousand eight hundred (196,800) dollars be, and the same is hereby appropriated out of temporary loan to the following items in the annual appropriations to the Departments of Public Works, Public Safety, Law and City Commissioners, for the year 1894, viz: Department of Public Works (Bureau of Highways). to Item 26, for repaving with improved pavement, thirty-two thousand (32,000) dollars; for repaving with asphalt, Thirty-fourth and Thirty-ninth streets entrances to the Presbyterian and Municipal Hospitals, twenty thousand (20,000) dollars; for paving and repaving of Church street, from the Pennsylvania Railroad to Tackawanna street, with granite, Pennsylvania or Lambertville blocks, and the extension and widening of the bridge on Church street over little Tacony creek, in the Twenty-third Ward, according to plans and specifications prepared by the Bureau of Surveys, twelve thousand (12,000) dollars; to item 4½, for repairs, improvements and maintenance of country roads under conditions of ordinance creating said item, thirty thousand (30,000) dollars; to item 18, for curved curbing, etc., ten thousand (10,000) dollars.

Bureau of Water, to item 2, for general supplies, etc., twenty-five thousand (25,000) dollars; to item 5, for distribution, twenty-five thousand (25,000) dollars; to item 8, for the purchase of material and cost of labor in connection with the laying of service pipe, etc., fifty thousand (50,000) dollars.

Department of Public Safety (Electrical Bureau), to item 18, for underground service, two thousand five hundred (2,500) dollars, for the purpose of continuing the electrical conduit on Lehigh avenue; Bureau of Steam Engine and Boiler Inspection, to item 2, for the employment of two elevator inspectors from the first day of July, 1894, one thousand two hundred (1,200) dollars; Bureau of City Property, to Item 10, for the payment of rent of premises 229 South Sixth street, for the use of the Law Department, four hundred and fifty (450)

dollars; Law Department, to Item 3, for experts and witness fees, five thousand (5,000) dollars; City Commissioners, to Item 13, to pay officers of the election, year 1894, seven (700) dollars; to Item 16, to pay assessors for the year 1894, one thousand six hundred and fifty (1,650) dollars; to Item 20, to pay for rent of rooms in which elections are held in year 1894, thirteen thousand three hundred (13,300) dollars.

Approved the twelfth day of June, A. D. 1894.

EDWIN S. STUART.

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize certain transfers from "the appropriations to the Commissioners for the erection of the Public Buildings," and "preparatory work necessary to installation of eight additional elevators," approved March 31, 1894, to certain items in the annual appropriations to the Law Department, Board of Port Wardens and Clerks of Councils, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers, viz. : From item 27, fitting up rooms Common Pleas, etc, stone work, two thousand seven hundred and fifty (2,750) dollars; plastering, two thousand (2,000) dollars; iron work, structural and ornamental, two thousand (2,000) dollars, in the appropriation to the Commissioners for the erection of the Public Buildings for the year 1894. From appropriation to said Commissioners for said year for preparatory work necessary to installation of eight additional elevators, thirteen thousand (13,000) dollars; in all, nineteen thousand seven hundred and fifty (19,750) dollars. To new item 6½, to pay C. B. McMichael, Esq., for professional services in the case of the City of Philadelphia vs. Farmers and Mechanics National Bank and John Bardsley, since his retirement from the City Solicitor's office, four thousand two hundred and fifty (4,250) dollars, in the annual appropriation to the Law Department for said year. To item 6, for removal of obstructions to the safe navigation of the rivers Delaware and Schuylkill, five hundred (500) dollars, in

the annual appropriation to Board of Port Wardens for said year; to item 11, to pay expenses incident to celebrating the Fourth of July, 1894, fifteen thousand (15,000) dollars, in the annual appropriation to the Clerks of Councils for said year.

Approved the fourteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize and regulate the erection and construction of iron awnings over the sidewalks, and authorizing the Board of Highway Supervisors to issue permits therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That it shall and may be lawful for any person or persons to erect and construct, or have erected and constructed, and maintain iron awnings without wings over the sidewalks of their premises; the said awnings to be not less than eight feet six inches in the clear head room; no signs to be displayed thereon except the names of the owners or tenants of the premises to which such awning is attached, and the nature of the business conducted therein; and the said awnings to be supported by wrought iron stretchers and posts: *Provided*, That no such awning shall be erected nor constructed without a permit from the Board of Highway Supervisors.

SECT. 2. The Board of Highway Supervisors are authorized, empowered and directed to grant permits for the erection and construction of the iron awnings above specified, whenever the said awnings do not interfere with the adjoining properties, nor injure the properties in the square in which it is proposed to place such awning or awnings: *Provided*, That the plans and specifications thereof shall be submitted to said Board for their approval; and the said permits shall issue in all cases when the plans and specifications are approved: *Provided, further*, That nothing in this ordinance contained shall authorize the construction of iron awnings or sheds over the sidewalks in that part of the city, viz: south side of Chestnut street, from Delaware river to the Schuylkill river, and both sides of Fifteenth street, from Market to Walnut streets, except in front of railroad stations or public buildings.

SECT. 3. The following material of specified strength shall be used for a property of 16 feet front, or less.

Wrought iron posts not less than 9 feet in height and 3 inches in diameter outside; said post to be set in cast iron base.

The front rail to be  $1\frac{5}{8}$  inches outside diameter.

There shall be no less than four rafters  $1\frac{1}{4}$  inches in diameter.

There shall be no less than two perlins  $\frac{3}{4}$  inch outside diameter.

The corrugated iron to be used for the awning shall not be less than No. 26, of about one pound to the square foot.

The specified strength of awnings erected in excess of 16 feet front shall be determined by the Board of Highway Supervisors.

SECT. 4. If any owner of property or tenant, contractor or manufacturer shall authorize, permit, or erect any awning without first complying with all the terms and provisions of this ordinance relating to the plans, specifications and permits, he or they shall be liable to a penalty of fifty (50) dollars, for each and every such violation. These penalties to be collected by the usual processes before any magistrate of the city upon complaint or information furnished: *And provided*, That the Councils alone shall have power at any time to revoke any license granted under the authority of this ordinance.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the laying of gas pipe on certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized and directed to lay gas pipe on the following streets, viz.; Fitzgerald street, from Eleventh to Twelfth street; Fourth street, Fifth street and Seventh street, from Wolf to Old Second street; Jackson

street, from Otsego to Second street; Hoffman street, between Seventh and Eighth streets; Seventh street, from Moore to 1815 South Seventh street, and Durfer street, from Twelfth to Thirteenth street, in the First Ward; Orkney street, from Cumberland to Huntingdon street; West Montgomery avenue, from Germantown avenue to Cadwallader street, and thirty feet south on Cadwallader street, in the Nineteenth Ward; Marshall street, from Susquehanna avenue to Nelson place, in the Twentieth Ward; Apple street, from Cedar to Howard street, in the Twenty-first Ward; Forty-three-and-one-half street, from Brown to Parrish street; Thirty-nine-and-one-quarter street and Thirty-nine-and-one-half street, from Centre street to Warren street; Centre street, from Thirty-nine-and-one-quarter street to Thirty-nine-and-one-half street, and Stiles street, from Forty-second street to Leidy avenue, in the Twenty-fourth Ward; Cornwall street and Willard street, from Jasper street to Kensington avenue; Jasper street, from Wellington to Ontario street; Amber street, from Clearfield to Hull street, and Salmon street, from Neff street to Allegheny avenue, in the Twenty-fifth Ward; Forty-ninth street, from Baltimore avenue to Springfield avenue; Warrington avenue and Windsor avenue, from Forty-eighth to Forty-ninth street, and Adeline street, from Fiftieth to Fifty-first street, in the Twenty-seventh Ward; Seventeenth street and Eighteenth street, from Pulaski avenue to Nicetown lane; Luzerne street, from Germantown avenue to Nicetown lane; Pike street, from Germantown avenue to Eighteenth street; Sixteenth street, from Erie avenue to Luzerne street; Thirty-two-and-one-half street, from Ridge avenue to York street; Krail street, from Queen lane to Crawford street; west side of Twenty-seventh street, from Huntingdon street to Lehigh avenue, and Arizona street, from Thirty-second to Thirty-two-and-one-half street, in the Twenty-eighth Ward; Hollywood avenue and Myrtlewood avenue, from Master to Jefferson street, and Natrona street, from Engleside street to Columbia avenue in the Twenty-ninth Ward; Twenty-eighth street and Twenty-ninth street, from Peltz to Ellsworth street, in the Thirtieth Ward; west side of Braddock street, in the Thirty-first Ward; Morse street, from Thirty-first to Thirty-second street, in the Thirty-second Ward; Fifty-fifth street, from Haverford avenue to Westminster avenue, in the Thirty-fourth Ward; Garrett street and Wilder street, from Twenty-third to Twenty-fourth street; Bambrey street and Stillman

street, from Dickinson to Tasker street; Earp street and Sears street, between Twenty-sixth and Twenty-seventh street; Dickinson street, from Twenty-third to Twenty-sixth street, and Fernon street, from Eighteenth to Nineteenth street, in the Thirty-sixth Ward; Park avenue, from Clearfield street to Sedgley avenue, and Rising Sun lane, from Broad street to Germantown avenue, in the Thirty-seventh Ward: *Provided*, That said streets shall be first dedicated or properly opened.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Clerks of Councils for the year 1894."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an ordinance approved the 19th day of December, A. D. 1893, entitled "An Ordinance to make an appropriation to the Clerks of Councils for the year 1894," be altered and amended as follows:—In Item 1, for salaries, strike out the following: "Secretary of Finance Committee, five hundred (500) dollars per annum," and insert in lieu thereof the following: "Secretary of Finance Committee, who shall be bookkeeper and clerk to Chairman of the Finance Committee at the rate of one thousand eight hundred (1,800) dollars per annum, six hundred (600) dollars: *Provided*, the person occupying the position of Secretary of the Finance Committee shall not occupy any other position, said secretary to be elected by the Committee on Finance. Amend the total appropriation in Section 1 by striking out the words and figures, "forty-six thousand six hundred and fifty (46,650) dollars," and inserting in lieu thereof the words and figures "forty-seven thousand two hundred and fifty (47,250) dollars:" *Provided*, That this ordinance shall not go into effect until September 1, 1894.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize certain transfers in the annual appropriations to the Department of Public Works (Bureau of Highways), and Inspectors of the County Prison for the year 1894, and in the appropriation to the Commissioners for the erection of the Public Buildings, approved March 31, 1894, for 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers in the annual appropriations to the Department of Public Works (Bureau of Highways), and Inspectors of the County Prison for the year 1894, and in the appropriation to the Commissioners for the erection of the Public Buildings, approved March 31, 1894, for 1894, viz: Department of Public Works (Bureau of Highways), from Item 2, for paving intersections of streets, etc., thirty-five thousand (35,000) dollars, to Item 6 for grading streets and roads; County Prison, from Item No. 21, for leather, twelve hundred (1,200) dollars; to Item No. 11, for compressed yeast, lime, and buckets, two hundred (200) dollars; and to Item No. 17, for lumber, brass cocks, paints, glass, iron, tin, hardware, and repairs generally, one thousand (1,000) dollars; Commissioners for the erection of the Public Buildings, from sub-items in Item 1, salaries and wages, of said appropriation, as follows: master plumber, two hundred and twenty (220) dollars; painters, one thousand (1,000) dollars; stone-cutters, five hundred and twenty-five (525) dollars; stone-cutters' helpers, three hundred and seventy-five (375) dollars; bricklayers, five hundred and twenty-five (525) dollars; bricklayers' laborers, five hundred (500) dollars; plumbers, seven hundred (700) dollars; plumbers' supplies, eight hundred and seventy-five (875) dollars; gas fitters, three hundred (300) dollars, making in all five thousand and twenty (5,020) dollars; to sub-item in Item 1 of said appropriation, foreman plumber, two hundred and twenty (220) dollars; and to new sub-items in Item 1 of said appropriation, as follows: for services of draughtsmen required in architect's office in preparing plans and drawings for fitting up of court rooms and Council Chambers, and to reimburse the architect for expenses already paid by him for services of draughtsmen,

four thousand (4,000) dollars ; salary of additional clerk in Commissioners' office from May 1, 1894, to end of year, eight hundred (800) dollars.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

For the creation of a Board of Trustees for establishing Public Museums, and for placing in its custody certain educational and economic collections belonging to the City of Philadelphia, and to authorize certain transfers therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That with a view of promoting the development of a great group of museums, general, scientific, economic, educational, and commercial, the Councils of the City of Philadelphia do hereby delegate the collections secured by Professor W. P. Wilson from the World's Columbian Exposition, at Chicago, as the representative of the Mayor and Councils of the City of Philadelphia, in trust to a Board of Trustees, to be known as the Board of Trustees of the Philadelphia Museum, composed of the Mayor of the City of Philadelphia, *ex-officio* : the Presidents of both Branches of City Councils, *ex-officio* : the President of the Board of Public Education, *ex-officio* : the Superintendent of Public Schools, *ex-officio* : a representative of the Board of Public Education, and of the Park Commission, elected by both representative bodies, with one citizen to be elected annually by each Branch of City Councils ; and Charles H. Cramp, Clarence H. Clark, Daniel Baugh, Sara Y. Stevenson, Thomas Dolan, William Pepper, Charlemagne Tower, Jr., and Arthur Biddle ; and which Board of Trustees shall take steps to secure funds and a suitable site for museum buildings to accommodate said collections, and shall have power to elect its own officers : *Provided*, That all vacancies in the said Board of Trustees shall be filled by the Mayor, subject to confirmation by Select Council, excepting *ex officio* members, representatives of Boards of Public Education and Park Commission, and the citizens elected by each Branch of Councils.

SECT. 2. The City Controller is hereby authorized and directed to make the following transfers, viz: from Item 53½ for educational museum seven thousand five hundred (7,500) dollars and eight (8) cents in the annual appropriation to the Board of Public Education for the year 1894, and from Item 19½ for economic museums ten thousand and ninety-two (10,092) dollars and four (4) cents, in the annual appropriation to the Commissioners of Fairmount Park for said year, in all seventeen thousand five hundred and ninety-two (17,592) dollars and twelve (12) cents, to new Item 10½ in the annual appropriation to the Mayor for said year for the purposes of the Board of Trustees mentioned in the first section of this ordinance.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To lay water-pipe in Durfor, Jackson, Seventh, Gold, Kennedy, Stiles, Thirty-eighth, Jasper, Cornwall, Thompson, Willard, Forty-ninth, Fifty-fifth, Sixty-third, Fairmount Park, Dickinson, Bambrey, Garrett, Wilder, Stillman street; Rising Sun lane, Belmont, City, Warrington and Windsor avenues; and to relay Lawrence street; also, to lay a sixteen (16) inch main in Ontario street and Glenwood avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and it is hereby authorized and directed to lay water-pipe in Durfor street, from Twelfth to Thirteenth street; Jackson street, from Otsego to Front street; Jackson street, from East Second to Old Second street; Seventh street, from Wolf to Old Second street; Gold street, from Abington to Hartwell street; Kennedy street, from James to Thomas street; Stiles street, from Forty-second street to Leidy avenue; Thirty-eighth street, from Girard to Wyalusing avenue; Jasper street, from Wellington to Ontario street; Cornwall street, from Jasper street to Kensington avenue; Thompson

street, from Ontario to Tioga street; Willard street, from Jasper street to Kensington avenue; Forty-ninth street, from Florence street to Springfield avenue; Warrington avenue, from Forty-eighth to Forty-ninth street; Windsor avenue, from Forty-eighth to Forty-ninth street; Fifty-fifth street, from Haverford to Westminster avenue; Fairmount Park, from Standpipe at George's Hill to Belmont avenue; Belmont avenue to City avenue; City avenue, from Belmont avenue to Sixty-third street; Sixty-third street, from Lancaster to City avenue; Dickinson street, from Twenty-third to Twenty-sixth street; Bambrey street, from Dickinson to Tasker street; Garrett street, from Twenty-third to Twenty-fourth street; Wilder street, from Twenty-third to Twenty-fourth street; Stillman street, from Dickinson to Tasker street; Rising Sun lane, from Broad street to Germantown avenue; and to relay with larger pipe Lawrence street, from Diamond street to Susquehanna avenue; also, to lay a sixteen (16) inch main in Ontario street, from Front to Fifth street, and on Glenwood avenue, from Fifth to Sixth street.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To lay water-pipe in Tasker, Magnet, Thirty-nine-and-one-quarter, Thirty-nine-and-one-half, Centre, Mather, Sixteenth, Pike, Eighteenth, Luzerne, Seventeenth, Thirty-two-and-one-half, Showaker, Natrona, Morse, Vankirk, Sears and Earp streets; Hollywood and Myrtlewood avenues, and Asylum Turnpike or Adams street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works is hereby authorized and directed to lay water-pipe in Tasker street, from Meadow to Ash street; Magnet street, from Gay street to Lyceum avenue; Thirty-nine-and-a-quarter street, from Centre to Warren street; Thirty-nine-and-a-half street, from Centre to Warren street; Centre street, from Thirty-nine-and-a-quarter to Thirty-nine-and-a-half street;

Mather street, from Ontario to Westmoreland street; Pike street, from Sixteenth to Eighteenth street; Sixteenth street, from Pike to Luzerne street; Eighteenth street, from Pulaski avenue to Nicetown Lane; Luzerne street, from Germantown avenue to Nicetown Lane; Seventeenth street, from Pulaski avenue to Nicetown Lane; Thirty-two-and-a-half street, from Herman to York street; Showaker street, from Twenty-fourth to Twenty-sixth street; Natrona street, from Engleside street to Columbia avenue; Hollywood avenue, from Master to Jefferson; Myrtlewood avenue, from Master to Jefferson street; Morse street, from Thirty-first to Thirty-second street; Asylum Turnpike or Adams street, from Arrott to "L" street; Vankirk street, from Tulip street to Torresdale avenue; Sears street, from Twenty-sixth to Twenty-seventh street; Earp street, from Twenty-sixth to Twenty-seventh street.

Approved the fifteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the immediate opening of Allegheny Square, in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That having failed to agree with the owners of the ground within the boundaries of Allegheny square, in the Twenty-fifth Ward, as to the price thereof, they hereby appropriate said ground, bounded by Allegheny avenue, Alamendo (or Almond) street, Wellington street and Belgrade street, as an open public place and park for the health and enjoyment of the people; and the City Solicitor is hereby authorized and directed forthwith to notify the owner or owners of the said ground that at the expiration of three months from the date of said notice said ground will be required for public use.

SECT. 2. At the expiration of said three months the Mayor is hereby authorized and directed to enter security in the name of the City for the payment of any damages that may be awarded by reason of the taking of said ground, and there-

upon possession of the same shall be taken for public use. And the City Solicitor shall begin and conduct the proper proceedings in the Court of Quarter Sessions for the assessment of damages for said taking.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To place on the public plan for park purposes a plot of ground in the Twenty-seventh Ward, to be known as Clarence H. Clark park.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works, Bureau of Surveys be, and is hereby authorized and directed to place on the public plan for park purposes that certain lot of ground situate between Forty-third and Forty-fourth streets and Baltimore avenue and Chester avenue, to be called Clarence H. Clark Park : *Provided*, The owners of property first enter into an agreement satisfactory to the City Solicitor, to dedicate the same to the City on the payment of the amount paid by them for street improvement, sixteen thousand nine hundred and twenty-five (16,925) dollars and thirty-five (35) cents.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To amend ordinance approved December 30, 1893, entitled "An Ordinance to make an appropriation to the Board of Public Education for the year 1894," and to authorize a certain transfer in said appropriation.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved

December 30, 1893, entitled "An Ordinance to make an appropriation to the Board of Public Education for the year 1894," be altered and amended by striking from Item 56 of said bill the following: "*Provided*, That no part of Items 15 and 55 of this appropriation shall be available until a warrant has first been drawn and signed in proper legal manner for the amount of this item and sent to the City Controller for his approval."

SECT. 2. The City Controller is hereby authorized and directed to make the following transfer, viz.: From Item 56, to pay Miss Margaret Sherry the amount of salary in dispute, two thousand eight hundred and forty-one (2,841) dollars, in the annual appropriation to the Board of Public Education for the year 1894, to new Item 8 $\frac{1}{2}$ , in the annual appropriation to the Clerks of Councils, to pay Miss Margaret Sherry said salary.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the paving of Warrington and Snyder avenues, Jasper, Emily, Cherry, James, Margaret, Seventeenth, and Lingo streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Warrington avenue, from Forty-eighth to Forty-ninth street, with vitrified paving bricks; Jasper street, from Hart lane to Cambria street, with granite, Pennsylvania or Lambertville blocks: the following streets with sheet asphaltum, with broken stone base and binder, viz: Snyder avenue, from Seventeenth street to the cemetery west of Eighteenth street; Emily street, from Fifteenth to Sixteenth street; Cherry street, from Foulkrod to Harrison street; James street, from Orthodox to Margaret street; Margaret street, from Frankford avenue to Cedar street;

Seventeenth street, from Moore street to Passyunk avenue; Lingo street, from Passyunk avenue to Snyder avenue. The cost to the City for said work not to exceed nine thousand (9,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished. *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To vacate and strike from the plan Westview street, from Quincy street to Emlen street, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Westview street, from Quincy street to Emlen street, in the Twenty-second Ward be, and the same is hereby vacated and stricken from the City plan, and abandoned as a street or highway: *Provided*, The property owners along said street shall file a bond or agreement in form to be approved by the City Solicitor, indemnifying the City against any and all damages or claims that may arise by reason of said vacation.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To donate the cannon along Water street and Delaware avenue to the Pennsylvania Society Sons of the Revolution.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the cannon along Water street and Delaware avenue be, and are hereby donated to the Pennsylvania Society Sons of the Revolution for the purpose of placing the same, from time to time, around the monuments erected, and to be erected by the Society, marking the sites of the battles of the Revolution around and about Philadelphia.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To amend so much of ordinance approved March 30, 1894, as authorizes the grading of Frankford avenue, from Harrowgate lane to one hundred and seventy feet southwest of Juniata avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance approved March 30, 1894, as authorizes the grading of Frankford avenue, from Harrowgate lane to one hundred and seventy feet southwest of Juniata avenue, be altered and amended by striking out the words and figures "nine hundred and fifty (950) dollars," and inserting the words and figures "twenty-three hundred and fifty (2350) dollars."

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the paving of Windsor avenue and Forty-ninth street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of the following streets with vitrified paving bricks, viz.: Windsor avenue, from Forty-eighth to Forty-ninth street; and Forty-ninth street, from Baltimore avenue to Springfield avenue. The cost to the City for said paving not to exceed four thousand four hundred (4,400) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided,* Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price,

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Relative to the paving of Ridge avenue, from Manayunk avenue to Hermit lane.

WHEREAS, By ordinance approved April 10, 1893, Ridge avenue, from Manayunk avenue to Hermit lane was authorized to be paved with granite blocks, and as doubts have arisen as to the liability of abutting property owners to pay for said paving, it being alleged that the railway company occupying said street is liable for the same, and in the meantime it is

greatly to the public interest that said paving should be completed, and as the contract cannot be executed under present circumstances, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be authorized to prepare, and the Mayor to execute a contract for the paving of said Ridge avenue, from Manayunk avenue to Hermit lane, with a clause, "The total cost of said work shall be paid for by the City out of Item 2, in the annual appropriation to the Department of Public Works, Bureau of Highways." The cost of said paving except as to the intersections and unassessable property shall be assessed against abutting property owners and collected for the use of the City by a lien filed or otherwise according to law. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend a portion of ordinance approved April 10, 1893, relative to the paving of Fifteenth street, from Snyder avenue to Porter street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance approved April 10, 1893, authorizing the paving of Eleventh, Twelfth, Fifteenth, Sixteenth, Seventeenth and other streets, as authorizes the paving of Fifteenth street, from Snyder avenue to Porter street, be altered and amended by providing that said street shall be paved with sheet asphaltum instead of granite blocks.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To vacate Grover's lane, from Woodland avenue to Saybrook street, in the Twenty-seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Grover's lane, from Woodland avenue to Saybrook street, be and the same is hereby vacated.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the construction of sewers on Apsley, Armat, Aspen, Boudinot, Bridge, Cadwallader, Church, Cornwall, Dauphin, Dickinson, Fairhill, Fifth, Gaul, Geary, Grove, Hedge, Lloyd, Matlack, Moore, Mulberry, Musgrove, Olive, Orkney, Oxford, Parrish, Paul, Pine, Reese, Reinhard, Rementer, Sixth, Stewart, Stiles, Swanwick, Tackawanna, Thirty-eighth, Waln, Wayne, Wilcox, Willard, Winona and York streets; Green lane and Harrowgate lane and Highland avenue and Kensington avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, viz; On Apsley street, from Germantown avenue to Green street, and from Green street to Wayne street; Armat street, from Heiskell street to Magnolia avenue; Aspen street, from Forty-first street to Holly street; Boudinot street, from Cambria street to Indiana street; Bridge street, from Frankford Creek to Thompson street; Cadwalader street, from Thompson street to Master street; Church street, from Thirty-eighth street to Saunders avenue; Cornwall street, from Jasper street to Kensington avenue; Dauphin street, from Gaul street to Belgrade street; Dickin-

son street, from Twenty-third street to Twenty-sixth street; Fairhill street, from Pike street to Luzerne street; Fifth street, from Carey street to Luzerne street; Gaul street, from Cumberland street to Dickinson street; Geary street, from Edwin street to Grove street, and on Grove street, from Geary street to Perkiomen street; Geary street, from Francis street to Wylie street; Green lane, from Pechin street to Manayunk avenue; Harrowgate lane, from Kensington avenue to Frankford avenue; Hedge street, from Orthodox street to Meadow street; Highland avenue, from Germantown avenue to one hundred (100) feet southwest of Twenty-seventh street; Kensington avenue, from Ontario street to Allegheny avenue; Kensington avenue, from Venango street to Frankford creek; Lloyd street, from Sergeant street to Huntington street; Matlack street, from Parrish street to Poplar street; Moore street, from Amber street to Coral street; Mulberry street, from Harrison street to New street; Musgrove street, from Church street to Upsal street, and from Church street to Sharpnack street; Olive street, from Shirley street to Nineteenth street; Orkney street, from Cumberland street to Huntingdon street; Oxford street, from Tackawanna street to Frankford avenue; Parrish street, from two hundred (200) feet west of Fortyninth street to Fiftieth street; across private property on the line of Paul street, from Frankford creek to Mill street; thence on Paul street, from Mill street to Church street; Pine street, from Forty-fifth street westward about one hundred and fifty (150) feet; Reese street, from Pike street to Luzerne street; Reinhard street, from Forty-seventh street to Forty-eighth street; Rementer street, from Fayette street to Tenth street; Sixth street from Pike street to Luzerne street; Stewart street, from Twenty-third street to Twenty-fourth street; Stiles street, from Forty-second street to Leidy street; Swanwick street, from Walnut street to Sansom street; Tackawanna street, from Oxford street to Gillingham street; Thirty-eighth street, from Poplar street to Wyalusing street; Waln street, from Unity street to Oxford street; Wayne street, from Queen street to Winona street; Wilcox street, from Nineteenth street to Twentieth street; Willard street, from Jasper street to Kensington avenue; Winona street, from Morris street to Laurens street,; and on York street, from Sixth street to Seventh street.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be

received for the sewers above designated, and he shall allot them to the lowest responsible bidders ; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled " An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869 ; any excess over and above said assessment in addition to that provided for by ordinance, entitled " An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes and legal deductions in the construction of branch sewers" approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of sixty-six thousand four hundred (66,400) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance, except that across private property on the line of Paul street, from Frankford creek to Mill street, until the streets are on the City plan, legally opened and all the properties abutting thereon assessed to full City rates : *Provided*, however, that where properties are assessed at less than full City rates and the streets on the plans are opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding owners to pay the regular assessment charges : *And provided also*, That this section shall not apply to the sewer on private property on the line of Paul street, from Frankford creek to Mill street

SECT. 4. That the Mayor be authorized and requested to enter security on behalf of the City of Philadelphia to indemnify owners of private property through which the sewer on the line of Paul street, from Frankford creek to Mill street, will pass, against damages by reason of the construction of said sewer.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To change the name of F street to Rittenhouse street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to change the name of F street, in the Eighth Ward, to Rittenhouse street.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To approve the contract and surety of James R. Floyd for the removal of the old stacks and the erection of two stacks of the Dudley D. Fleming Gas Generating Furnaces at the Twenty-fifth Ward Works of the Bureau of Gas; the contract and surety of the Camden Iron Works for the construction of a third lift on the holder at the Twenty-fifth Ward Works of the Bureau of Gas, and a third lift on each of the two small holders at the Ninth Ward Works of the said Bureau; the contract and surety of Sparks & Evans for constructing a bridge on the line of Girard avenue over Pennsylvania avenue, in the Twenty-ninth Ward; the contract and surety of Frederick J. Amweg for the erection of a fire house on the east side of Fourth street, above Girard avenue; the contract and surety of I. H. Hathaway & Co. for the erection of a new engine and boiler house and stack in Fairmount Park, below Wissahickon creek; and the contract and surety of Charles O'Neill for the erection of a fire station house at the southeast corner of Reed street and Otsego street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of James R. Floyd for the removal of the old stacks and the erection of two stacks of the Dudley D. Fleming Gas Generating Fur-

naces at the Twenty-fifth Ward Works of the Bureau of Gas, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said James R. Floyd for the faithful performance of the said contract; that the contract of the Camden Iron Works for the construction of a third lift on the holder at the Twenty-fifth Ward Works of the Bureau of Gas, and a third lift on each of the two small holders at the Ninth Ward Works of the said Bureau, be, and the same is hereby approved, and that the American Surety Company, of New York, be, and it is hereby approved as surety of the said the Camden Iron Works for the faithful performance of the said contract; that the contract of Sparks & Evans for constructing a bridge on the line of Girard avenue over Pennsylvania avenue, in the Twenty-ninth Ward, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company, of Philadelphia, be, and it is hereby approved as surety of the said Sparks & Evans for the faithful performance of the said contract; that the contract of Frederick J. Amweg for the erection of a fire house on the east side of Fourth street, above Girard avenue, for the Bureau of City Property, be, and the same is hereby approved, and that the Tradesmen's Trust and Saving Fund Company, of Philadelphia, be, and it is hereby approved as surety of the said Frederick J. Amweg for the faithful performance of the said contract; that the contract of I. H. Hathaway & Co. for the erection of a new engine and boiler house and stack in Fairmount Park, below Wissahickon creek, for the Bureau of Water, be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said I. H. Hathaway & Co. for the faithful performance of the said contract; and that the contract of Charles O'Neill for the erection of a fire station house at the southeast corner of Reed street and Otsego street, for the Bureau of City Property, be, and the same is hereby approved, and that John McGuckin be, and he is hereby approved as the surety on the bond accompanying the said contract to secure the faithful performance of the same, and that the City Solicitor be, and he is hereby authorized and directed to restrict the lien of the judgment to be entered by virtue of the warrant of attorney accompanying the said bond as against the said John McGuckin to the following premises, viz: No. 1210 Christian street,



No. 1206 Everett street and No. 1302 Canal street, and as against the said Charles O'Neill to the following premises, viz: Nos. 1140, 1144, 1146, 1148 and 1150 Aman street.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the grading of Cross, Cornwall, Broad and Willard streets, Harrowgate lane, Abington and Allegheny avenues, Fourth, Fifth, Yocum, Lawrence, Media and Fifty-eighth streets, Merion and Wyalusing avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City and construct the necessary drains, viz.: Cross street, from Seventh to Effingham street; Cornwall street, from Jasper street to Kensington avenue; Broad street, from Wingohocking to Courtland street; Willard street, from Jasper street to Kensington avenue; Harrowgate lane, from Kensington avenue to Frankford avenue; Abington avenue, from German-town avenue to Twenty-third street; Allegheny avenue, from Fourth to Sixth street. The cost for said work not to exceed eight thousand (8,000) dollars: Fourth street, from Wolf to Old Second street; Fifth street, from Wolf to Old Second street; Yocum street, from Seventy-first to Seventy-second street; Lawrence street, from Erie avenue to Sedgley avenue; Media street, from Fifty-fourth to Fifty-sixth street; Fifty-eighth street, from Vine street to Westminster avenue; Merion avenue, from Fiftieth street to Fifty-second street; Wyalusing avenue, from Fifty-third to Fifty-fourth street. The cost of said work not to exceed five thousand five hundred (5,500) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets be first dedicated or properly opened: *And further*

*provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the paving of Fairmount, Erie, Roberts and Merion avenues, Green, Butler, Westmoreland, Peach, Hadfield, Stiles, Belleview, Clarissa, Juniata, Wayne, Reese and Media streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Fairmount avenue, from Forty-sixth to Markoe street, with sheet asphaltum or granite, Pennsylvania or Lambertville blocks; Erie avenue, from Germantown avenue to Twelfth street, with sheet asphaltum from the curb line to the outer rail of a double-track railway to be constructed on said avenue; the paving to be done under the provisions of an ordinance approved March 11, 1891, providing for grass plots, etc.; the sewers, gas and water pipes to be laid under the sidewalks. The following streets with sheet asphaltum with broken stone base and binder: Green street, from Paul to Orchard street; Butler street, from Germantown avenue to Fifteenth street; Westmoreland street, from Sixteenth to Seventeenth street; Peach street, from Master street to Lansdowne avenue; the following streets with vitrified paving bricks: Hadfield street, from Fifty-first to Fifty-second street; Stiles street, from Forty-second street to Leidy avenue; Belleview street, from Twentieth to Twenty-first street; Clarissa street, from Juniata to Bristol street; Juniata street, from Wayne to Clarissa street; Roberts avenue, from Germantown avenue to Wayne street; Wayne street, from Cayuga street to Roberts avenue; Reese street, from Williard street to Allegheny avenue; the following streets with granite, Pennsylvania or Lambertville blocks: Media street, from Fifty-fourth

to Fifty-sixth street; Merion avenue, from Fiftieth to Fifty-second street. The cost of said paving to the City not to exceed twenty-six thousand (26,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished; *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To establish stands for cabs and hacks on the south side of the Public Buildings, west side of the Public Buildings, Market street, Delaware avenue, Ninth street, Arch street, South street, and Twenty-fourth street, and repeal certain ordinances for the establishment of stands for cabs and hacks, approved December 31, 1877.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That stands for cabs and hacks be, and they are hereby established as follows: On the south side of the Public Buildings, west side of Public Buildings: *Provided*, That there shall not be more than six cabs or hacks on the stand at any one time, and that three shall be above Market street and three south of Market street, and at least twenty feet apart: north side of Market street, above Twelfth street; west side of Delaware avenue, from Chestnut to Walnut street; west side of Delaware avenue, from Market to Arch street; west side of Ninth street, from Chestnut to Market street; north side of Arch street, from Delaware avenue to Front street; south side of South street, from Delaware

avenue to Front street; west side of Twenty-fourth street, from Sansom to Walnut street: *Provided*, That on any of the stands located at Market street, Delaware avenue, Ninth street, Arch street, South street and Twenty-fourth street, there shall not be more than three cabs or hacks at any one time, and they shall be at least twenty feet apart: *Provided, further*, That the portions of the streets used be cleaned at least once in every twenty-four hours by the owners of the vehicles occupying the same.

SECT. 2. That the ordinance entitled "An Ordinance to establish stands for cabs or hacks on Locust, Sixth and Market streets and Lancaster avenue," and to repeal an ordinance to establish a stand for cabs and hacks on Thirty-second street, approved December 31, 1877 be, and the same are hereby repealed, and all other ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To revise the grades of Allen lane, between Green and McCallum streets, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Board of Surveyors, through the Director of Public Works, are hereby authorized to prepare plans changing the grade of Allen lane, between Green and McCallum streets; *Provided*, That property owners file a bond indemnifying the city against all costs or damages by reason of said change of grade.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the construction of a retaining wall at the intersection of Natrona street with the Connecting Railroad.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized and directed to construct a retaining wall at the intersection of Natrona street and the Connecting Railroad at a cost not to exceed two thousand five hundred (2,500) dollars, to be taken from Item No. 2 in the annual appropriation to the Department of Public Works (Bureau of Highways.)

Approved the eighteenth day of June. A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To amend an ordinance approved April 11, 1893, entitled "An Ordinance to grant permission to the Forty-second Street and West Park Passenger Railway Company to lay tracks in the Twenty-fourth, Twenty-seventh and Thirty-fourth Wards, to use electric motors," etc.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That section 1 of ordinance approved April 11, 1893, entitled "An Ordinance to grant permission to the Forty-second street and West Park Passenger Railway Company to lay tracks in the Twenty-fourth, Twenty-seventh and Thirty fourth Wards, to use electric motors," etc., be amended by adding after the words "Lancaster avenue and place of beginning," the following: "Also, east from Thirty-first and Spring Garden street, along Spring Garden street, across the river Schuylkill, on the upper deck of the Spring Garden or Fairmount bridge, to Twenty-fifth and Spring Garden streets, thence south on Twenty-fifth street to Callowhill street, and returning by same route to Thirty-first and Spring Garden streets: *Provided*, That one-half of the cost of maintaining the said bridge shall be borne by

the said Company: *Provided, also,* That they shall pay fifty (50) dollars into the City Treasury for the printing of this ordinance."

SECT. 2. The said, the Forty-second street and West Park Passenger Railway Company, shall pay to the Department of Public Works (Bureau of Highways) in the month of January of each year, for the use of the City, the sum of fifty (50) dollars on each car, in addition to the license fee now exacted, for each of their cars run over, upon and across said bridge: *Provided,* That before the time herein provided for paying the said yearly sum a proportionate amount shall be paid until the succeeding January, and at the the time of the payment of the said fifty (50) dollars a license shall be obtained by the said Railway Company for the privilege of running their cars over said bridge, and each and every car shall have conspicuously placed therein the said license.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To approve the contracts and surety of B. F. Dutton, for the construction of a certain extension of the main sewer on Montgomery avenue, between the present terminus west of the Philadelphia, Germantown and Norristown Railroad and Twelfth street, and a certain extension of main sewer on Horrocks street, from its present terminus on "P" street, near Foulkrod street to Foulkrod street, on Foulkrod street, between "P" street and Castor road and on Castor road, between Foulkrod street and Duncannon street; the contract and surety of Charles J. Kennedy, Jr., for the construction of a main sewer on Fifty-sixth street, between Market street and Locust street, and on Locust street to east of Fifty-sixth street; the contract and surety of William Moss, for the construction of a main sewer in Margaret street, between Frankford creek and Melrose street; the contract and surety of Robert Higgins, for the construction of an intercepting main sewer through West Fairmount

Park, between a point near Girard avenue and Fortieth street, and the Junction Railroad, thence along the easterly side of the Junction Railroad to Poplar street; and the contract and surety of the Mills Construction Company, limited, for the construction of a certain extension of the main sewer on Luzerne street between the terminus of the present sewer east of Third street and Reese street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contracts of B. F. Dutton, for the construction of a certain extension of the main sewer on Montgomery avenue between the present terminus west of the Philadelphia, Germantown and Norristown Railroad and Twelfth street, and a certain extension of the main sewer on Horrocks street from its present terminus on "P" street near Foulkrod street to Foulkrod street, on Foulkrod street between "P" street and Castor road, and on Castor road between Foulkrod street and Duncannon street be, and the same are hereby approved, and that the Equitable Trust Company, of Philadelphia be, and it is hereby approved as surety of the said B. F. Dutton for the faithful performance of the said contracts: *Provided*, That the said contracts shall contain clauses that the said sewers shall be completed in all respects, according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For said extension of main sewer on Montgomery avenue; for circular brick sewer 5 feet 3 inches in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of eighteen (18) dollars and fifty (50) cents; for circular brick sewer 6 feet in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of seventeen (17) dollars and twenty-five (25) cents: for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars: for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars: for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of

fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of twenty thousand (20,000) dollars; for said extension of main sewer on Horrocks street; for circular brick sewer 4 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and twenty-five (25) cents; for circular brick sewer 4 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and twenty-five (25) cents; for circular brick sewer 4 feet in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and twenty-five (25) cents; for circular brick sewer 4 feet in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of ten (10) dollars and twenty-five (25) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of fourteen thousand (14,000) dollars.

That the contract of Charles J. Kennedy, Jr., for the construction of a main sewer on Fifty-sixth street, between Market street and Locust street, and on Locust street to east of Fifty-sixth street, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia, be, and it is hereby approved as surety of the said Charles J. Kennedy, Jr., for the faithful performance of



the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For circular brick sewer 6 feet in diameter, per linear foot, including all appurtenances, the sum of nine (9) dollars and seventy-two (72) cents; for circular brick sewer 4 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum of six (6) dollars and forty-two (42) cents; for junction chamber complete, including all appurtenances, the sum of seven hundred (700) dollars; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of twenty thousand (20,000) dollars

That the contract of William Moss for the construction of a main sewer in Margaret street, between Frankford creek and Melrose street, be, and the same is hereby approved, and that The Equitable Trust Company of Philadelphia be, and it is hereby approved as surety of the said William Moss for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For sewer 4 and 3-12 feet in diameter, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety-eight (98) cents; for sewer 4 feet in diameter, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety-eight (98) cents; for each No. 1

brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents; the total cost of the work to be done shall not exceed the sum of nine thousand (9,000) dollars.

That the contract of Robert Higgins for the construction of an intercepting main sewer through West Fairmount Park, between a point near Girard avenue and Fortieth street and the Junction Railroad, thence along the easterly side of the Junction Railroad to Poplar street, be and the same is hereby approved, and that the West Philadelphia Title and Trust Company of Philadelphia, be, and it is hereby approved as surety of the said Robert Higgins for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For sewer  $2\frac{3}{4}$  feet by  $1\frac{6}{8}$  feet in diameter, including special section under Junction Railroad, per linear foot including all appurtenances, the sum of two (2) dollars and eighty-nine (89) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and

seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of six thousand five hundred (6,500) dollars.

That the contract of the Mills Construction Company (Limited) for the construction of a certain extension of the main sewer on Luzerne street, between the terminus of the present sewer east of Third street and Reese street, be and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia, be, and it is hereby approved as surety of the said the Mills Construction Company (Limited) for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For circular brick sewer 7 feet in diameter, per linear foot, including all appurtenances, the sum of twelve (12) dollars; for circular brick sewer 6 feet in diameter, per linear foot, including all appurtenances, the sum of twelve (12) dollars; for circular brick sewer 5 feet in diameter, with vitrified brick bottom, per linear foot, including all appurtenances, the sum of (12) dollars; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra cotta pipe, 15 inches in diameter, not in con-

crete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of sixteen thousand (16,000) dollars.

Approved the eighteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Permitting the Twenty-second Street and Allegheny Avenue Passenger Railway Company and its lessee to extend its tracks and to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Twenty-second Street and Allegheny Avenue Passenger Railway Company and its lessee, the Philadelphia Traction Company, to extend its tracks on Pulaski avenue to Erie avenue, and on Hunting Park avenue to Broad street, and on Sedgley avenue from Twenty-second to Montgomery avenue, and on Montgomery avenue to Thirty-third street, all with double track; and with single track on Thirty-first and Thirty-second street from Columbia avenue to York street, with the necessary curves and switches, and also to use electric motors as the propelling power of its cars, with the necessary standards and appliances needed to operate the same with overhead electric wires.

SECT. 2. Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said Railway Company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor, and shall, among other things, provide that the said Railway Company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues, or roads traversed by its lines of railway or

by its trolley system; that the said Railway Company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control, or regulation of railways or railroads of any kind within the City. That in the construction and equipment of its roadbed, cars or its trolley system all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, &c., shall be subject in every way, at all times, to the approval and inspection of the Departments of Public Works and Public Safety. That the said Company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils; that the said Railway Company shall run cars over their entire line at intervals not exceeding five minutes between the hours of six and nine A. M. and five and eight P. M., and at intervals not exceeding ten minutes at all other hours of the day excepting between the hours of twelve midnight and five A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed the present fare excepting between midnight and five o'clock A. M., when it shall not exceed ten cents; that the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named; that work upon said railway and trolley system shall be begun within one year, completed and in operation over the entire route herein named within two years, and that the said Railway Company shall furnish and execute a bond in a form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance, and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury, if the said Railway Company shall default in its agreement.

SECT. 3. That the said Company shall, under the supervision of the Department of Public Works, repave in good substantial workmanlike manner, with Belgian blocks, or other improved pavement, as directed by ordinance of Councils, or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of

the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department, the said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires, or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley, or other electric motive power company constructed therein, and that the said Company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said Company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing, that is incumbent on it under and in virtue of any Act of Assembly. And that fifty dollars shall be paid into the City Treasury by said Company for printing this ordinance.

Approved the nineteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To amend an ordinance approved January 30, 1894, entitled "An Ordinance to authorize the Department of Public Safety to lease to I. H. Hathaway and Company a certain lot of ground on the west side of Schuylkill river."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an ordinance approved

January 30, 1894, and entitled "An Ordinance to authorize the Department of Public Safety to lease to I. H. Hathaway and Company a certain lot of ground on the west side of the Schuylkill river," be altered and amended by striking out of the first section of the bill the words and figures "January 1st, 1893," and inserting in lieu thereof the words and figures "July 1st, 1894," and by adding after the word "acre," on the eleventh line, the words "or more, within the boundaries named."

Approved the nineteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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#### AN ORDINANCE

Repealing an ordinance entitled "An Ordinance granting permission to the Mellor and Rittenhouse Company to lay two 12 inch pipes under and across St. David's street and Twenty-third street, in the Tenth Ward, and to use the same to procure water from and to run waste water into the river Schuylkill, and to allow them to use water from the City mains, under certain conditions," approved November 16, A. D. 1887.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That an ordinance entitled "An Ordinance granting permission to the Mellor and Rittenhouse Company to lay two 12 inch pipes under and across St. David's street and Twenty-third street, &c.," approved November 16, 1887, be, and the same is hereby repealed: *Provided,* The said, "The Mellor and Rittenhouse Company," shall first discharge all obligations to which they are liable under said ordinance, and shall pay into the City Treasury fifty dollars for printing this ordinance.

Approved the nineteenth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

Amendatory to an ordinance approved March 30, 1893, granting permission to the Second and Third Street Passenger Railway Company, or its lessee, to extend its tracks on Beach street from Brown street to Fairmount avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and the same is hereby granted to the Second and Third Street Passenger Railway Company, or its lessee, to extend its railway on Beach street from Brown street to Fairmount avenue, and to use electric motors with the necessary standards and appliances needed to operate the same by overhead wires on the tracks on said Beach street as authorized under this ordinance, with the right to construct such curves and turnouts as may be necessary under and subject to all of the conditions contained in the ordinance approved March 30, 1893, entitled "An Ordinance permitting the Second and Third Street Railway Company to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires," and the work authorized shall be commenced within one year, and completed within two years after the passage of this ordinance. And that fifty (50) dollars shall be paid by said Company into the City Treasury for the printing of this ordinance.

Approved the nineteenth day of June A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 A SUPPLEMENT

To "An Ordinance permitting the Thirteenth and Fifteenth Streets Passenger Railway Company and the Philadelphia Traction Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same," approved March 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the "Ordinance permitting the Thirteenth and Fifteenth Streets Passenger Railway Com-



pany and the Philadelphia Traction Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same." approved March 30, 1893, is hereby amended to temporarily authorize a single track with turnouts on Broad street from Erie avenue to Fisher's lane, and the use of electric motors thereon, subject to the conditions imposed by said ordinance: *Provided*, That until Thirteenth street or Fifteenth street is opened that feed wires can be used overhead; and that fifty dollars shall be paid for printing this ordinance by said Companies.

Approved the nineteenth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## A SUPPLEMENT

To "An Ordinance to authorize Clark Reeves and Company to lay tracks upon Girard avenue bridge, and to regulate the use of said tracks by Passenger Railway Companies," approved April 6, 1874, authorizing the Union Passenger Railway Company to use certain tracks and make connections therewith.

WHEREAS, Under the authority of an ordinance approved December 31, 1888, The Union Passenger Railway Company, with the consent of the Commissioners of Fairmount Park, has constructed a passenger railway entering the Park over a bridge on the line of Poplar street.

AND WHEREAS, Said Commissioners in June, 1889, coupled with their said consent the privilege to run cars on the tracks now on Girard avenue to another portion of the Park, at the southeast corner of Thirty-seventh and Girard avenue, in accordance with an agreement entered of record in Common Pleas No. 4, September, 1874, No. 22, that the same may be so used; now, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That in accordance with Section 2 of "An Ordinance to authorize Clark Reeves and Company to lay tracks upon Girard avenue bridge, and to regulate the

use of said tracks by passenger railways," approved April 6, 1874, The Union Passenger Railway Company is hereby authorized to connect with the tracks now laid on Girard avenue, and the bridge from the point at which its existing track is constructed, and to run its cars over and along the same to the premises at the southeast corner of Thirty-seventh and Girard avenue, as allowed by the Commissioners of Fairmount Park, and to use electric motors as the propelling power of its cars with the necessary standards and appliances needed to operate the same by overhead electric wires. The said Union Passenger Railway Company shall pay to the Department of Public Works (Bureau of Highways) in the month of January of each year, for the use of the City, the sum of fifty (50) dollars on each car, in addition to the license fee now exacted for each of its cars run over, upon and across Girard avenue bridge, and that fifty (50) dollars be paid for printing this ordinance by said Company.

SECT. 2. Before any permits shall be issued by the Departments of the City of Philadelphia to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said Railway Company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor, and shall, among other things, provide that the said "Railway Company" shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway or by its trolley system; that the said Railway Company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of its roadbed, cars or its trolley system all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. That the said Company shall take down and remove the overhead trolley system and substitute therefor an underground or storage battery system whenever directed to do so by ordinance of Councils.

Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said Railway Company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor, and shall, among other things, provide that the said Railway Company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway or by its trolley system; that the said Railway Company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City; that in the construction and equipment of its roadbed, cars, or its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way, at all times, to the approval and inspection of the Department of Public Works and Public Safety; that the said Company shall take down and remove the overhead trolley system when directed to do so.

That the said Railway Company shall run cars over their entire line at intervals not exceeding five minutes between the hours of six (6) and nine (9) A. M. and five (5) and eight (8) P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed five (5) cents per passenger, excepting between midnight and five (5) o'clock A. M., when it shall not exceed ten (10) cents.

That the railway or trolley system herein authorized shall be so built and erected as to not interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named.

That work upon the said railway and trolley system shall be begun within six months, completed and in operation over the entire route herein named within one year, and that the said Railway Company shall furnish and execute a bond in the form approved by the City Solicitor, and with security

approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury if the said Railway Company shall default in its agreement.

Approved the twenty-second day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To permit William Ayres & Sons to lay a water pipe under and across Orianna street, south of Cumberland street, in the Nineteenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby given to William Ayres & Sons to lay and maintain an eight (8) inch water pipe under and across Orianna street, south of Cumberland street, between their mills, situate on Fourth street and on Orianna street, Nineteenth Ward, said pipe to be used for fire purposes only. The pipe shall be laid of sufficient depth below the surface to clear all existing pipes, and shall be laid under the supervision and direction of the Department of Public Works: *Provided*, That the said William Ayres & Sons shall repair and repave that part of the street opened for the pipe, and shall repair all defects of the said street that may appear from time to time, which may be caused by the said opening, so long as the privilege shall be retained, whenever requested by the Director of the Department of Public Works to put the street in order: *And provided*, That this privilege shall be revocable at any time without notice by the passage of a resolution or ordinance to that effect, and that fifty (50) dollars be first paid into the City Treasury to pay for printing this ordinance.

Approved this twenty-sixth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To lay water pipe in Forty-third-and-a-half, Preston, Dauphin, Stephen, Mascher, Earp, Sears, Twenty-sixth and Twenty-seventh streets, Cemetery, Trenton and Paschall avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works is hereby authorized and directed to lay water pipe in Cemetery avenue, from Ridge avenue to Selig street; Trenton avenue, from Orthodox to Oxford street; Forty-third-and-a-half street, from Brown to Parrish street; Preston street, from Haverford avenue to Wallace street; Paschall avenue, from Sixty-eighth to Seventieth street; Dauphin street, from Twenty-second street to Glenwood avenue; Stephen street, from Twenty-sixth to Taney street; Mascher street, from Ontario to Tioga street; Earp street, from Twenty-sixth to Twenty-eighth street; Sears street, from Twenty-sixth to Twenty-eighth street; Twenty-sixth street, from Wharton to Reed street; Twenty-seventh street, from Wharton to Reed street.

Approved the twenty-sixth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the construction of a siding for the use of M. Ehret, Jr., and Company, and George W. Elkins, and to connect their properties with the Schuylkill River East Side Railroad Company.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to M. Ehret, Jr., and Company, and George W. Elkins, to construct a siding on the Schuylkill river side of Schuylkill avenue, beginning at a point of connection with the Schuylkill River East Side Railroad at or near Maiden's lane; thence northward along said avenue to the south line of the property of said M. Ehret, Jr., and Company, and George W. Elkins,

for the purpose of giving railroad facilities to the warehouses and manufactories located along said siding, and the said M. Ehret, Jr., and Company, and George W. Elkins, shall remove the said siding upon the passage of an ordinance of Councils to that effect, and shall pay into the City Treasury the sum of fifty (50) dollars for the printing of this ordinance.

Approved the twenty-sixth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the temporary occupation of a portion of Third street and American street, between the north side of Butler street and Allegheny avenue, by the tracks of the North Pennsylvania Railroad Company, and also to authorize the crossing of Westmoreland street, Ontario street, Tioga street, Glenwood avenue and Venango street, in the Thirty-third Ward, by said railroad tracks, in order to facilitate the work of abolishing grade crossings at North Penn Junction, as authorized by ordinance of February 4, 1892.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That authority is hereby given for the temporary occupation of a portion of Third street and American street, between the north side of Butler street and Allegheny avenue, by the tracks of the North Pennsylvania Railroad Company, and also authority to cross with said tracks Westmoreland street, Ontario street, Tioga street, Glenwood avenue and Venango street, in the Thirty-third Ward, in order to facilitate the work of abolishing the grade crossings at North Penn Junction, as authorized by ordinance of February 4, 1892, and in order to maintain railroad traffic during the carrying on of the work; said tracks to be removed upon sixty (60) days notice from the Director of the Department of Public Works.

Approved the twenty-sixth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize certain transfers in the annual appropriations to the Departments of Public Works and City Commissioners, and from Item 27, in the annual appropriation to said Commissioners, to Item 39½ in the annual appropriation to the Board of Public Education for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers in the annual appropriations to the Departments of Public Works and City Commissioners, and from Item 27, in the annual appropriation to said Commissioners, to Item 39½ in the annual appropriation to the Board of Public Education for the year 1894, viz.: Department of Public Works, Bureau of Street Cleaning—from Item 4, for cleaning streets, inlets and public market houses, etc., fifteen thousand (15,000) dollars: Bureau of Surveys—from Item 3, recording dedication of streets, two hundred and fifty (250) dollars; from Item 5, for corner stones and replacing landmarks, five hundred (500) dollars; from Item 7, for new surveys and work ordered by Councils not otherwise provided for, two hundred and fifty (250) dollars; from Item 10, for carriage hire and keep of horse, one hundred and twenty-four (124) dollars and twenty-seven (27) cents; from Item 18, for new bridges, ten thousand (10,000) dollars; from Item 23, for Walnut Street Bridge, three (3) dollars: from Item 25, for main sewers, two (2) dollars and seventy-three (73) cents. Bureau of Water—from Item 10, for extensions (mains) to Queen Lane Reservoir, twenty-five thousand (25,000) dollars: from Item 10½, for engines and other work at Queen Lane Pumping Station, fifty thousand (50,000) dollars: in all one hundred and one thousand one hundred and thirty (101,130) dollars. Bureau of Highways—to Item 3, for repairs to paved streets, etc., fifteen thousand (15,000) dollars. Bureau of Surveys, to Item 2, printing, stationery, etc., four hundred (400) dollars; to Item 3, cleansing office, advertising and incidentals, six hundred (600) dollars; to Item 6, examination of bridges and sewers, one hundred and thirty (130) dollars; to Item 16, removing objectionable foot-way drainage, ten thousand (10,000) dollars. Bureau of Water—to Item 5, for distribution, twenty-five thousand (25,000) dollars: to Item 8, for purchase of material and cost

of labor in connection with the laying of service pipe, etc., fifty thousand (50,000) dollars. Department of City Commissioners—from Item 18, to pay for printing assessors' lists, nine hundred (900) dollars; from Item 22, to pay magistrates for the year 1894, two hundred and twelve (212) dollars and fifty (50) cents; in all one thousand one hundred and twelve (1,112) dollars and fifty (50) cents: to Item 13, to pay officers of election, 1894, one hundred and seventy-five (175) dollars; to Item 16, to pay assessors for the year 1894, four hundred and twelve (412) dollars and fifty (50) cents; to Item 20, to pay for rent of room in which elections are held for the year 1894, five hundred and twenty-five (525) dollars. Department of City Commissioners—from Item 27, to pay Pennsylvania State Lunatic Hospital at Harrisburg, three thousand (3,000) dollars. Board of Public Education—to new Item 39½, for the Philadelphia School of Design for Women.

Approved the twenty-seventh day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to item 12 in the annual appropriation to the Department of Receiver of Taxes for the year 1894, for the refunding of certain twice paid, over paid and paid in error water rents and pipe-laying bills paid to the Department of the Receiver of Taxes (Bureau of Water), January 1 to June 5, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of four thousand and fifty-nine (4,059) dollars and thirty (30) cents be, and the same is hereby appropriated to item 12 in the annual appropriation to the Department of Receiver of Taxes for the year 1894, for the refunding of certain twice paid, over paid and paid in error water rent and pipe-laying bills paid to the Department of the Receiver of Taxes (Bureau of Water), from January 1 to June 5, 1894, and for which no previous ordinance had been passed for the refunding of the same.



Warrants for the same to be drawn by the Receiver of Taxes in favor of the persons named in schedule filed with the City Controller.

Approved the twenty-seventh day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Public Works for the year 1894."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Section 7, Item 4, of an ordinance entitled "An Ordinance to make an appropriation to the Department of Public Works for the year 1894," approved December 30, 1893, be, and the same is hereby amended by adding thereto the following: "*Provided*, That nothing herein shall affect the amount of the wages or salaries of employees in the said survey districts other than District Surveyors and Regulators."

SECT. 2. That all ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-seventh day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894," approved March 31, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an ordinance approved the 31st day of March, A. D. 1894, entitled "An Ordinance to

make an appropriation to the Commissioners for the erection of the Public Buildings for the year 1894," be altered and amended as follows: In Item 27, for fitting up rooms, strike out the following: "Millwork, thirty-two thousand three hundred and sixty-four (32,364) dollars; hardware, two thousand (2,000) dollars; glass, seven hundred and fifty (750) dollars; stonework, one hundred and twelve thousand two hundred and fifty (112,250) dollars; tiling walls and mosaic floors, fifty-seven thousand three hundred and thirty-three (57,333) dollars; plastering, not including scaffolding, sixty-five thousand four hundred and ninety (65,490) dollars; Neufchatel asphalt floors, twenty-nine thousand nine hundred and ninety-eight (29,998) dollars; iron work, structural and ornamental, forty-four thousand six hundred and fifty-four (44,654) dollars; in all three hundred and forty-four thousand eight hundred and thirty-nine (344,839) dollars;" and insert in lieu thereof the following: Mill-work, hardware, glass, stone-work, tiling walls and mosaic floors, plastering, not including scaffolding, Neufchatel asphalt floors, iron-work, structural and ornamental, for fitting up Common Pleas Courts, the Orphans' Courts, Prothonotaries' Office, Clerks' and Record Rooms for said Courts, and the offices for the Sheriff, three hundred and forty-four thousand eight hundred and thirty-nine (344,839) dollars; and that to this be added by transfer from sub item in Item 27. Plumbing and gas-fitting, the sum of six thousand seven hundred and fifty (6,750) dollars, making in all three hundred and fifty-one thousand five hundred and eighty-nine (351,589) dollars.

Approved the twenty-seventh day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the appointment of a stenographer and typewriter for Common Council and to make an appropriation therefor, and assigning the present stenographer and typewriter to Select Council and specifying his duties.

SECTION 1. *The Select and Common Councils of the City of Philadelphia, do ordain, That the President of Common*

Council be, and he is hereby authorized to appoint a stenographer and typewriter for the use of Common Council, at a salary of twelve hundred (1,200) dollars per annum, the appointment to take effect September 1, 1894. Said stenographer and typewriter shall, in addition to the usual work of stenographers and typewriters, perform such other duties as may be required of him by the Clerk of Common Council, and that the sum of four hundred (400) dollars be, and is hereby appropriated to Item 8 in the annual appropriation to the Clerks of Councils, for the year 1894, to pay the salary of said stenographer and typewriter. And that the stenographer and typewriter now in the employ of the Select and Common Councils shall be assigned to duty, after September 1, 1894, as the stenographer and typewriter of Select Council, at the same salary, to be appointed by the President of Select Council, and shall, in addition to the usual work of stenographers and typewriters, perform such other duties as may be required of him by the Clerk of Select Council.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-seventh day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize certain transfers in the annual appropriation to the Departments of Public Works and Public Safety for the year 1894, and Commissioners for the Erection of the Public Buildings for the year 1894, by ordinance approved March 31, 1894.

**SECTION 1.** *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be, and is hereby authorized to make the following transfers: Bureau of Street Cleaning, from Item 4, cleaning streets, removal and disposal of ashes, garbage, etc., six thousand (6,000) dollars; Bureau of Highways, to Item 20, for inspectors, at the rate of seventy-five (75) dollars per month when actually employed,

in the annual appropriations to the Department of Public Works for the year 1894: Bureau of Police, from Item 1 for salaries, eight thousand eight hundred (8,800) dollars; Bureau of Health, from Item 1 for salaries, six thousand (6,000) dollars; Bureau of Fire, Item 1 for salaries, five thousand (5,000) dollars; Bureau of City Property, from Item 4, cleaning docks, five thousand (5,000) dollars; Electrical Bureau, from Item 16, for electric lighting, four thousand four hundred (4,400) dollars, from Item 19 for repeater, two thousand four hundred (2,400) dollars, in all thirty-one thousand six hundred (31,600) dollars: in the annual appropriation to the Department of Public Safety for the year 1894. Bureau of Police, to Item 5 for badges, &c., two thousand (2,000) dollars: to Item 14 for repairs, &c., three thousand five hundred (3,500) dollars; Bureau of Health, to new Item 7½ for special sanitary inspections during the summer, and expenses of abating nuisances, ten thousand (10,000) dollars. Warrants against this Item may be paid when the bills are approved by the Director and the proper Committee of the Board, without previous advertising. Bureau of Fire, to Item 5, for supplies, five hundred (500) dollars, to Item 17, for new apparatus, twenty-one hundred (2,100) dollars, to Item 19 for alterations, &c., one thousand (1,000) dollars; Electrical Bureau, to Item 2, for repairs, six thousand eight hundred and seventy (6,870) dollars, to Item 7 for stationery, &c., one thousand (1,000) dollars; Bureau of City Property, to Item 3, for repairs to market houses, one thousand (1,000) dollars, for repairs to property owned by, &c., one thousand (1,000) dollars, for repairs to bath houses, four hundred and thirty (430) dollars: to Item 14 for repairs, &c., one thousand (1,000) dollars, to Item 15 for new flags, &c., seven hundred (700) dollars, to Item 22 for gas, &c., five hundred (500) dollars, in the annual appropriation to said Department.

From Item 5, millwork, uncompleted contracts, two thousand five hundred (2,500) dollars; Item 10, marble and marble work, four thousand (4,000) dollars; Item 17, copper work, two hundred and fifty (250) dollars; Item 20, plastering, uncompleted contracts and repairs, one thousand five hundred (1,500) dollars; Item 22, bronze work, seven hundred and fifty (750) dollars; Item 25, tiles and tiling, repairs and uncompleted contracts, three thousand five hundred (3,500) dollars; in all twelve thousand five hundred (12,500) dollars. To Item 4, incidental cast and wrought iron work and uncom-

completed contracts, in the annual appropriation to the Commissioners for the Erection of the Public Buildings for said year, approved March 30, 1894.

Approved the twenty eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the purchase of a lot of ground, with the buildings thereon, situate on the north side of Wood street, west of Thirteenth street, in the Fourteenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor is hereby authorized and directed to examine the title to the property located No. 1305 Wood street, extending through to and including the property No. 1308 Carlton street, in the Fourteenth Ward, and if he approves of the same he shall cause a conveyance of the said property to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of four thousand five hundred (4,500) dollars, to be taken out of the annual appropriation to the Department of Public Safety (Bureau of City Property), for the year 1894, Item 32. Warrants shall be drawn by the Bureau of City Property in accordance with existing ordinances.

Approved the twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To grant permission to the Franklin Sugar Refining Company to construct a siding on Penn street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to the Franklin Sugar Refining Company to extend

their private siding now on private property, between Almond and Bainbridge streets, over and across Bainbridge street, and along Penn street to the south line of South street; the said railroad siding to be used in the interest of the said The Franklin Sugar Refining Company, and shall be removed upon the passage of an ordinance or resolution by Councils to that effect: said company shall first pay to the City Treasurer fifty (50) dollars for printing this ordinance.

Approved the twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Granting permission to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Citizens' East End Street Railway Company or its lessees' tracks are to be laid, and to permit any lessee of said Railway Company to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Citizens' East End Street Railway Company, or its lessees of the same, to occupy the following streets and to use electric motors as the propelling power of the cars on the tracks of said Company, which are hereby authorized to be laid as follows: Commencing at Marshall and Berks streets, on Berks street to Sixth street, with a double track; on Berks to Camac street; Camac street to Montgomery avenue; Montgomery avenue to Marshall street; Marshall street to Berks street, with the right to use Mervine street from Berks street to Montgomery avenue, instead of Camac street from Berks street to Montgomery avenue.

SECT. 2. Said motors to be supplied from overhead wires, supported by iron poles not less than twenty (20) feet high, which the said Company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street wires, or, at the option of the Company, to be erected in the middle of the streets with a double bracket thereon, suspending the overhead construction.

SECT. 3. That the said Company shall, under the supervision of the Department of Public Works, repave in good, substantial workmanlike manner, with Belgian blocks or other improved pavement, as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department: said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive-power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the road-bed or of the poles or trolley wires or other electric motive-power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive-power company constructed therein, and that said Company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works so long as the said trolley or other electric motive-power system shall be maintained on such streets. That the said Railway Company shall run cars over their entire line at intervals not exceeding five (5) minutes between the hours of 6 and 9 A. M., and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed 5 cents per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed 10 cents: *Provided*, That such repaving or repairing aforesaid shall not free the said Company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed, or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly.

SECT. 4. Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said Railway Company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall, among other things, provide that the said Railway Company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues, or roads traversed by its line of railroad or by its trolley system; that the said Railway Company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force or which may hereafter be passed relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its road-bed, cars and its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way, at all times, to the approval and inspection of the Department of Public Works and Public Safety, and that the said Railway Company shall furnish and execute a bond in the form approved by the City Solicitor and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City and the money shall be paid into the City Treasury if the said Railroad Company shall default in this agreement, and said Company shall, before exercising any privilege under this ordinance, first pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

Granting permission to use electric motors to be supplied from overhead wires and to erect and maintain poles to support said wires on the streets along which the Brown and Parrish street Railway Company or its lessees' tracks are to be laid, and to permit any lessee of said railway company to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Brown and Parrish street Railway Company, or its lessees of the same, to occupy the following streets and to use electric motors as the propelling power of the cars on the tracks of said company which are hereby authorized to be laid as follows: Commencing at Fifth and Brown streets, on Brown street to Third street and return with a double track; thence along Brown street from Fifth to Inquirer street, on Inquirer street from Brown to Parrish; thence along Parrish to Fifth; thence along Fifth to Brown street, the place of beginning.

SECT. 2. Said motors to be supplied from overhead wires supported by iron poles not less than twenty feet high, which the said company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street wires, or at the option of the company to be erected in the middle of the streets with a double bracket thereon suspending the overhead construction.

SECT. 3. That the said company shall, under the supervision of the Department of Public Works repave in good, substantial, workmanlike manner, with Belgian blocks, or other improved pavement, as directed by Ordinance of Councils, or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by, and to the satisfaction of the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon each

of the said streets as soon as the construction of the roadbed or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein, and that said company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive-power system shall be maintained on such streets; that the said railway company shall run cars over their entire line at intervals not exceeding five minutes between the hours of 6 and 9 A. M. and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed 5 cents per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed 10 cents: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed, or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly.

SECT. 4. Before any permits shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall, among other things, provide that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its line of railways or by its trolley system; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws

and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its roadbed, cars and its trolley system, all kinds and characters of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Department of Public Works and Public Safety. And that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned for the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City and the money shall be paid into the City Treasury if the said railway company shall default in this agreement. And the said company shall, before exercising any privileges under this ordinance, first pay fifty (50) dollars into the City Treasury for the printing of the same.

Approved this twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Granting permission to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Citizens Passenger Railway Company or its lessees' tracks are to be laid, and to permit any lessee of said railway company to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission is hereby granted to the Citizens Passenger Railway Company, or its lessees of the same, to occupy the following streets and to use electric motors as the propelling power of the cars on the tracks of said company, which are hereby authorized to be laid as follows: commencing at Eleventh street and Cambria street, on Eleventh street to Glenwood avenue, and on Glenwood avenue to Germantown avenue with double tracks.

SECT. 2. Said motors to be supplied from overhead wires supported by iron poles not less than twenty (20) feet high, which the said Company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street wires, or at the option of the company, to be erected in the middle of the streets with a double bracket thereon suspending the overhead construction.

SECT. 3. That the said Company shall, under the supervision of the Department of Public Works, repave in good, substantial, workmanlike manner with Belgium blocks or other improved pavement as directed by Ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repairing of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the road bed or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets or as Councils may by ordinance otherwise direct: if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein, and that said Company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said Company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly.

SECT. 4. Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement with the Mayor of the City, (who is hereby authorized to execute the same on behalf of the City) which agreement shall be in form approved by the City Solicitor, and shall among other things, provide that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its line of railroad or by its trolley system; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force or which may hereafter be passed relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its road bed, cars and its trolley system, all kinds and characters of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. And that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City and the money shall be paid into the City Treasury if the said railroad company shall default in this agreement. And the said Company shall first pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved this twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting permission to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires, on the streets along which the Citizens North End Street Railway Company or its lessees' tracks are to be laid, and to permit any lessee of said railway company to use, erect and maintain the same

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Citizens North End Street Railway Company, or its lessees of the same, to occupy the following streets and to use electric motors as the propelling power of the cars on the track of said company, which are hereby authorized to be laid as follows: Commencing at Sedgeley avenue and Germantown avenue; thence along Eleventh street to Chew street, on Chew street to Tenth street, on Tenth street to Clearfield street, on Clearfield street to Germantown avenue, on Germantown avenue to Sedgeley avenue, at the place of beginning. And Glenwood avenue and Sedgeley avenue, from Germantown avenue to Tenth street; also on Eleventh street to Chew street, and until Eleventh street is opened to the point named, the said company may temporarily use any other street in the vicinity thereof in order to complete the circuit. Also with the right to use such streets as may be opened eastward of Hunting Park for the purpose of making a circuit; and the right to use, temporarily, any street adjacent thereto until the streets herein designated are opened. Also with the right to lay a double track on Walnut lane and Rising Sun lane, from Sixth street to Broad street, with cross-overs for the purpose of shortening the circuit wherever required, and to construct such curves, switches and turn-outs as may be requisite.

SECT. 2. Said motors to be supplied from overhead wires, supported by iron poles not less than twenty (20) feet high, which the said company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street wires, or at the option of the company, to be erected in the middle of the streets with a double bracket thereon suspending the overhead construction.

SECT. 3. That the said company shall, under the supervision of the Department of Public Works, repave in good, substan-

tial, workmanlike manner, with Belgian blocks or other improved pavement, as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said department: said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct: if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein, and that said company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed, or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly: and that fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

SECT. 4. Before any permit shall be issued by the departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City) which agreement shall be in form approved by the City Solicitor, and shall, among other things, provide that the said railway company shall agree to keep and

maintain in good order, at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railroad or by its trolley system; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its road-bed, cars, and its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way, at all times to the approval and inspection of the Departments of Public Works and Public Safety. And that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditional upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury if the said railroad company shall default in this agreement, and that said company shall first pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Granting permission to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Citizens Clearfield and Cambria Street Railway Company or its lessees' tracks are to be laid, and to permit any lessee of said Railway Company to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission is hereby granted to the Citizens Clearfield and Cambria Street Railway Company, or its lessees of the same, to occupy the following



streets, and to use electric motors as the propelling power of the cars on the tracks of said Company, which are hereby authorized to be laid as follows: Commencing at Tenth and Clearfield street, on Clearfield street to Ninth street, on Ninth street to Cambria street, on Cambria street to Hutchinson street, and return with double tracks to Tenth and Clearfield streets.

SECT. 2. Said motors to be supplied from overhead wires supported by iron poles not less than twenty feet high, which the said Company is authorized to erect and maintain, and to be placed opposite to each other, within the curb lines, and connected with street wires, or at the option of the Company, to be erected in the middle of the streets, with a double bracket thereon suspending the overhead construction.

SECT. 3. That the said Company shall, under the supervision of the Department of Public Works, repave in good, substantial workmanlike manner, with Belgian blocks, or other improved pavement, as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires, or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may, by ordinance, otherwise direct: if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley, or other electric motive power company constructed therein, and that said Company shall at all times hereafter keep the said paving in good repair, when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets. That the said Railway Company

shall run cars over their entire line at intervals not exceeding five minutes between the hours of 6 and 9 A. M. and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed five (5) cents per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten cents: *Provided*, That such repaving or repairing aforesaid shall not free the said Company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed, or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly.

SECT. 4. Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said Railway Company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall, among other things, provide that the said Railway Company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its line of railroad or by its trolley system; that the said Railway Company shall agree to accept as binding upon it, the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its roadbed, cars and its trolley system, all kinds and characters of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. And that the said Railway Company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond

is forfeited to the City, and the money shall be paid into the City Treasury, if the said Railroad Company shall default in this agreement. And the said Company shall first pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-eighth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting permission to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Frankford and Southwark Philadelphia City Passenger Railroad Company or its lessees, tracks are to be laid, and to permit any lessee of said Railroad Company to use, erect and maintain the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That permission is hereby granted to the Frankford and Southwark Philadelphia City Passenger Railroad Company or its lessees of the same to occupy the following streets, and to use electric motors as the propelling power of the cars on the tracks of said company, which are hereby authorized to be laid as follows: Commencing on Rising Sun lane at Sixth street, eastward on Rising Sun lane to Kensington and Oxford turnpike or Old Second street; along Old Second street, Kensington and Oxford turnpike to Fox Chase, with double or single tracks, with turnouts; and on Oxford road from Frankford avenue to the intersection of Oxford road with Kensington and Oxford turnpike or Old Second street with double or single tracks, with turnouts; and on Arrott street, from Frankford avenue to Castor road, Castor road to Asylum pike, Asylum pike to Wyoming avenue; on Wyoming avenue, from Sixth street to Orthodox street; on Orthodox street to Frankford avenue, with single or double tracks, with turnouts, or double tracks; on Fifth and Sixth street, from Luzerne street to County line, with the right to use any street to connect Fifth and Sixth streets.

SECT. 2. Said motors to be supplied from overhead wires supported by iron poles not less than twenty feet high, which

the said company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street wires or at the option of the company to be erected in the middle of the streets with a double bracket thereon, suspending the overhead construction.

SECT. 3. Before any permits shall be issued by the Departments of the City of Philadelphia to proceed with the work authorized by this ordinance, the company (or companies) designated in Section 1, shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City) which agreement or contract shall be in form approved by the City Solicitor and shall among other things provide, that the said railway company or companies shall under the supervision of the Department of Public Works repave in good, substantial, workmanlike manner, with Belgium blocks or other improved pavement as directed by ordinance of Councils, or by the Department of Public Works, in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it (or them) under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles, trolley wires or by other electric motive power system, and such repaving shall be commenced upon each of said streets as soon as the construction of the road bed or the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets or as Councils may by ordinance otherwise direct: if not thus pushed the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric motive-power company (or companies) constructed therein, and that said company (or companies) shall at all times hereafter keep and maintain in good order whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its (or their) lines of railway or by its (or their) trolley system, and such repaving or repairing aforesaid shall not free the said company (or companies) from any other paving, repaving and repairing of the streets occupied by it (or them) that may be required by any ordinance of

Councils which has been passed or which may be passed, or from any other duty or obligation resting upon it (or them), regarding paving and repairing that is incumbent on it (or them) under and in virtue of any Act of Assembly. That the said railway company (or companies) shall agree to accept as binding upon it (or them) the terms and conditions of all laws and ordinances now in force or which may hereafter be passed relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of the roadbed, cars or trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. That the said company (or companies) shall take down and remove the overhead trolley system and substitute therefor an underground or storage battery system whenever directed to do so by ordinance of Councils. That the said railway company (or companies) shall run cars over their entire line at intervals not exceeding five minutes between the hours of 6 and 9 A. M., and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line (without change of cars) shall not exceed five (5) cents per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten (10) cents. That the railway or trolley system herein authorized shall be so built and erected as to not interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named. That work upon the said railway and trolley system shall be begun within six months, completed and in operation over the entire route herein named, within one year, and that the said railway company (or companies) shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty five thousand (25,000) dollars conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury, if the said railway company (or companies) shall default in the agreement herein

authorized, and that fifty (50) dollars shall be paid into the City Treasury by said company (or companies) for printing this ordinance.

Approved the twenty-eighth day of June A.D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To authorize the Department of Public Works to extend the contracts for grading certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized to extend the contracts for grading Upsal street, from Greene to Wayne street; Adrian street, from Adams street to Ridge avenue; Gillingham street, from Jefferson to Worth street; Penn street, from Manayunk avenue to Terrace street; Rector street, from Ridge avenue to Terrace street; Twenty-fifth street, from Evergreen avenue to Mermaid avenue; Wood street, from Jefferson street to Leverington avenue; Berkley street, from Pulaski avenue to Wayne street; Adams street, from Manayunk avenue to Ridge avenue; Krams avenue, from Pechin to Webster street; Frankford avenue, from Harrison to Bridge street; and Ridge avenue, from Manayunk avenue to Hermit lane, by including the grading of the sidewalks, with the slopes necessary to retain the same, and to pay the cost of said work out of Item 6, for grading, in the annual appropriation to the Department of Public Works, Bureau of Highways.

SECT. 2. Upon the completing of the work of grading said sidewalks, the Director of the Department of Public Works is authorized to estimate the cost and expense of the same, including the filling of slopes necessary to retain the sidewalks, and assess the cost and expense against the properties in front of which the work shall have been done, in the name of the registered owner or owners thereof, and shall then cause one bill to be served on the registered owner or owners, or, in case he or they cannot be found, the same shall be left upon the premises, and another copy of said bill shall be forwarded

to the City Solicitor, and if the same be not paid within thirty (30) days from the service upon the owners of property, a lien therefor shall be filed in the proper Court against the respective parties.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the revision of the lines and grades of the territory bounded by County line on the north, Allen's lane on the south, County line on the east, and Roxborough Township line on the west, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to revise the lines and grades of the territory bounded by the County line on the north, Allen's lane on the south, County line on the east, and Roxborough Township line on the west, in the Twenty-second Ward, and to change the location of Hartwell avenue, west of Thirty-second street; to run Hartwell avenue and Mermaid avenue under, and Southampton avenue over the Philadelphia, Germantown and Chestnut Hill Railroad; to place on the plan Seminole avenue, from Union avenue to Willow Grove avenue; to place on the plan Southampton avenue, sixty (60) feet wide, west of Thirtieth street; to strike off the plan Moreland avenue, from Tacona street to Cresheim avenue; Abington avenue west of Thirtieth street; Thirtieth street, from Springfield avenue to Mermaid avenue; Twenty-eighth street, from Rex avenue to Hartwell avenue; Wissahickon Heights avenue, from Thirty-second street to Thomas Mill road; Hurst avenue, from Thirty-second street to Thomas Mill road; all streets west of Thirty-fifth, between Mermaid avenue and Rex avenue, except New Hartwell, Springfield and Wissahickon

avenues, and to revise the lines and grades of the streets affected by such revision: *Provided*, That Mr. Henry H. Houston first enter into a satisfactory agreement not to claim damages by reason of the changes authorized by this ordinance.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To place on the City plan, Klauder, Five-and-a-half, Agnes, Spencer, Crawford, Boudinot, Clementine, Lippincott, Sears and Earp streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Klauder street, of the width of thirty (30) feet, from Montgomery avenue to Germantown avenue; Five-and-a-half street, of the width of thirty (30) feet, from Klauder street to Montgomery avenue; Agnes street, of the width of thirty (30) feet, from Jasper street to Glenwood avenue; Spencer street, of the width of fifty (50) feet, from Thirty-fifth to Thirty-sixth street; Crawford street, of the width of twenty-five (25) feet, from Cedar to Gaul street; Boudinot street, of the width of fifty (50) feet, from Clearfield street to Allegheny avenue; Clementine street and Lippincott street, each of the width of thirty (30) feet, from "E" to "F" street; Sears street and Earp street, each of the width of thirty (30) feet, from Twenty-sixth to Twenty-seventh street: *Provided*, That the owners of ground within the lines of said streets, except on Spencer street and on Crawford street, shall first dedicate the same as public highways, or shall first file a bond or enter into a written agreement with the City Solicitor indemnifying the City against all damages that may arise by reason of the placing or opening of the same before this ordinance shall go into effect: *Provided, however*, That before Crawford street shall be placed on the plan satisfactory evidence shall be furnished that the street has been laid out and opened prior to June



6, 1871: *Provided further*, That the provisions of the ordinance approved April 8, 1890, requiring streets to run in a straight line shall not apply to Klauder street.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the construction of a bridge on the line of the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania Railroad, so as to carry Jefferson street under said railroad.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be hereby authorized to advertise for bids, and award the contract for the construction of a bridge on the line of the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania Railroad, so as to carry Jefferson street under said railroad; the cost of said bridge to the City not to exceed twenty thousand (20,000) dollars, the said amount to be taken from the item for new bridges in the annual appropriation to the Department of Public Works, Bureau of Surveys: *Provided*, That the Pennsylvania Railroad Company, or property owners in the vicinity of said street, first enter into an agreement satisfactory to the City Solicitor, agreeing to pay one-third of the total cost of said bridge.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the laying of gas pipe on certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-

ment of Public Works be authorized and directed to lay gas pipe on the following streets, viz.: Harrison street, from Hancock to Mascher street, in the Nineteenth Ward; Malcolm street and Hadfield street, from Fifty-first street to Fifty-second street; Whitby avenue, from Baltimore avenue to Fifty-third street, and Fifty-second street, from Baltimore avenue to Hadfield street, in the Twenty-seventh Ward; Logan street, north from Hunting Park avenue and east of P. & R. R. R.; Penn street, from Norristown railroad to Thirty-fifth street; Cresson street, from Spencer street to Mill street; Bowman street, from Cresson street to Thirty-fourth street; Dauphin street, from Twenty-second street to Glenwood avenue, and New Queen street, from Thirty-fifth street to Cresson street, in the Twenty-eighth Ward. Gordon street, from Memphis street to Geisse street, in the Thirty-first Ward. Indiana street, from C to E street, in the Thirty-third Ward. Fifty-four-and-a-half street, from Wyalusing avenue to Penn-grove street; Girard avenue, from Forty-seventh to Forty-eighth street, in the Thirty-fourth Ward. Twenty-sixth street and Twenty-seventh street, from Wharton to Reed street; Sears street and Earp street, from Twenty-sixth to Twenty-seventh street; Sears street and Earp street, from Twenty-seventh to Twenty-eighth street, in the Twenty-sixth Ward. Lippincott street and Clementine street, from Park avenue to Thirteenth street, in the Thirty-seventh Ward. *Provided*, That said streets shall be first dedicated or properly opened.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Amendatory to an ordinance entitled "An Ordinance to regulate the construction of frame buildings, fences and bay windows," approved March 28, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the first section of an ordinance entitled "An Ordinance to regulate the construction of

frame buildings, fences and bay windows," approved March 28, 1894, be altered and amended by striking out the words, "all of the Twenty-third," and insert the following: "all that part of the Twenty-third Ward commencing at Frankford creek and Wingohocking street; thence along Wingohocking street to Oakland street; thence along Oakland street to Lindley street; thence along Lindley street to Leiper street; thence along Leiper street to Wakeling street; thence along Wakeling street to Lackawanna street; thence along Lackawanna street to Margaretta street; thence along Margaretta street to the Pennsylvania Railroad; thence along the Pennsylvania Railroad to the Frankford creek; thence along the Frankford creek to the place of beginning;" also, strike out the words, "Twenty-fifth," and insert the following words: "all that portion of the Twenty-fifth Ward bounded on the east by the Delaware river, on the west by Kensington avenue, on the north by Frankford creek and Luzerne street, and on the south by Lehigh avenue;" also, strike out all that portion relating to the Thirty-fifth Ward after the words, "boundaries or lines between," and insert the following: "Magee street and Bleigh street and Frankford avenue and Delaware river, and along the line of Frankford avenue, from Dark Run lane to Pennypack creek; *Provided, however,* That on the 1st day of January, 1898, the lines defined in this amendment will cease, and the lines defined in the first section of the ordinance to which this is an amendment shall be re-established.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To place on the City plan a plot of ground in the Thirty-fifth Ward, for park purposes, to be known as "Disston Park."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works, Bureau of Surveys, be, and is hereby authorized to

place on the public plan, for park purposes, the plot of ground in the Thirty-fifth Ward, bounded by the Philadelphia and Trenton R. R., Princeton avenue, Magee and Keystone streets: *Provided*, That the owner or owners of the tract of land bounded by Longshore, Keystone, Tyson, and the Philadelphia and Trenton R. R. within the above boundaries, and now in use for park purposes, first dedicate the same to the City for use as a public park.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance, approved April 9, 1894, entitled "An Ordinance to authorize the repaving of certain streets, the construction of sewers, and the laying and relaying of gas and water pipes therein, and for work contingent therewith."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved April 9, 1894, entitled "An Ordinance to authorize the repaving of certain streets, the construction of sewers, and the laying and relaying of gas and water pipe therein, and for work contingent therewith," be amended by adding the words "Powelton avenue, from Saunders avenue to Fortieth street; Parrish street, from Twenty-fourth street to Twenty-sixth street; and Ninth street, from Diamond street to Susquehanna avenue," under streets to be repaved with sheet asphaltum; and by adding the words "Latona street, from Eighteenth to Nineteenth street," under streets to be repaved with vitrified paving bricks; also, by striking out the words "Somerset street, from Twelfth to Mervine street," and inserting the words "Delhi street, from Dauphin street to Susquehanna avenue:" *Provided*, That the additional work herein authorized shall not interfere with any work previously

ordered, and the Department of Public Works shall do all or any portion of the work embraced in this ordinance if the present appropriation will permit.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Granting permission to the Girard Avenue Passenger Railway Company to lay tracks from the intersection of Girard avenue and Lancaster avenue, along Girard avenue to Sixty-first street, to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Girard Avenue Passenger Railway Company to lay double tracks as follows: Beginning at the intersection of Girard avenue and Lancaster avenue; thence along Girard avenue to Sixty-first street; thence returning by the same route, with the right to lay curves, switches and turnouts requisite to make the necessary circuits and connections. The laying of said tracks shall be commenced within six months from the passage of this ordinance, and shall be completed within one year thereafter: *Provided*, That as to such parts of said avenue not yet opened, the laying of said tracks shall commence six months from the time that the same may from time to time be opened, and shall be completed within one year thereafter.

SECT. 2. That permission be, and the same is hereby granted to the said Girard Avenue Passenger Railway Company to use electric motors as the propelling power of its cars on its tracks as the same are authorized to be laid in Section 1 of this ordinance. Said motors to be supplied from overhead wires, supported by iron poles not less than twenty feet high, which said company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and

connected with street wires, or, at the option of the company, to be erected in the middle of the street, with a double bracket thereon suspending the overhead construction. The same to be of the kind, style and system as that now constructed by the Catharine and Bainbridge Streets Railway Company, and all feed wires shall be buried.

SECT. 3. Before any permits shall be issued by the Departments of the City of Philadelphia to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City) which agreement or contract shall be in form approved by the City Solicitor, and shall among other things provide: That the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unpaved, all streets, avenues or roads traversed by its lines of railway, or by its trolley system, that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind, within the City of Philadelphia. That in the construction and equipment of its roadbed, cars, or its trolley system, all kinds and character of materials, supplies or workmanship, plans profiles, elevations, designs, etc., shall be subject in every way, at all times, to the approval and inspection of the Departments of Public Works and Public Safety; that the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils; that the said railway company shall run cars over its entire line, at intervals not exceeding five minutes, between the hours of 6 and 9 A. M. and 5 and 8 P. M., and at intervals not exceeding ten minutes, at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed the present fare, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten cents; that the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named; that work upon the said railway and trolley

system shall be begun within six months, completed and in operation over the entire route herein named within one year, and that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury, if the said railway company shall default in its agreement.

SECT. 4. That the said company shall, under the supervision of the Department of Public Works, repave in good substantial and workmanlike manner, with Belgian blocks or other improved pavement, as directed by ordinance of Councils, or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by, and to the satisfaction of the said Department, all streets to be occupied by it not already repaved with such improved pavements, and also all streets heretofore repaved with an improved pavement, the repaving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon the said streets as soon as the construction of the roadbed, or of the poles or trolley wires, or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such systems is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway, trolley or other electric power company therein; and that said company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the streets occupied by it that may be required by any ordinance of Councils that has been passed, or that may be passed, or from any other duty or obligation resting upon it regarding paving and re-

pairing that is incumbent on it under and in virtue of any Act of Assembly, and that fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### A SUPPLEMENT

To an ordinance granting permission to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Germantown Passenger Railway Company's tracks are authorized to be laid, and to permit the People's Passenger Railway Company, lessee of the said railway, or the Germantown Passenger Railway Company, lessor, to use, erect and maintain the same, approved March 30, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance granting permission to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires on the streets along which the Germantown Passenger Railway Company's tracks are authorized to be laid, and to permit the People's Passenger Railway Company, lessee of the said railway, or the Germantown Passenger Railway Company, lessor, to use, erect and maintain the same, approved March 30, 1893, is hereby amended so as to authorize a double track from the intersection of Girard avenue and Elm avenue on and along Girard avenue, west, to Lancaster avenue, with the necessary curves, switches and connections, and the use of electric motors thereon, subject to all of the conditions imposed by said ordinance, and the work shall be commenced within one year, and completed within two years after the passage of this ordinance, and that fifty (50) dollars shall be paid into the City Treasury by said Company for printing this ordinance.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

Authorizing the Union Passenger Railway Company and its lessee to make further extensions, and to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Union Passenger Railway Company, in accordance with its charter, is hereby authorized to lay a track on Somerset street from Ninth to Twelfth street, with the necessary curves, switches and connections, and it and its lessee, the Philadelphia Traction Company, are hereby authorized to use electric motors as the propelling power of the cars, with the necessary standards and appliances needed to operate the same by overhead wires, subject to all the conditions of the Union Passenger Railway ordinance approved March 30, 1893; and that the work shall be commenced within one year, and completed within two years after the passage of this ordinance, and that fifty (50) dollars shall be paid into the City Treasury by said Company for printing this ordinance.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the opening of Ridge and Hunting Park avenues, Baring and Gransback streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice said streets will be required for public use, viz. : Ridge avenue, to its full width as now laid down on the City plan, from Adams to Hermit street; Hunting Park avenue, to its full width, from Germantown avenue to Hunting Park; Baring street, on the south side, from Bell to Fortieth street; Gransback street, from Cambria to Clearfield street.

SECT. 2. The Mayor of the City is hereby authorized and directed to enter security on behalf of the City of Philadelphia, for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said streets.

SECT. 3. Upon the opening of Ridge avenue, between the points named in the first Section, the triangular piece of ground on the southeast side of the present confirmed house line, formerly part of the bed of said avenue, shall be vacated.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To approve the contract and surety of Cooper and Atkinson, for the construction of a main sewer connection with the Intercepting Sewer, Manayunk, from the Philadelphia and Norristown Railroad across Main street at Sumac street; the contract and surety of Johnston and Byrens, for the erection and roofing in of the main building of the High School on the lot of ground situate on the west side of Broad street between Green street and Brandywine street; the contract and surety of Doyle and Doak, for the erection of a Fire House on a lot of ground situate at Twenty-sixth street and York street; the contract and surety of the American Artificial Stone Paving Company, for paving and curbing around the supply building and new drip to Neufchatel roofs at the new County Prison; the contract and surety of Charles McCaul, for the erection of a stable and wagon house and for grading at the new County Prison, and the contract and surety of P. E. Costello, for work at the new County Prison in connection with the water supply, sewerage and plumbing, and painting the wood and metal roof of enclosing wall and guard house and gutters of Supply and Administration Buildings.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of Cooper and

Atkinson for the construction of a main sewer connection with the Intercepting Sewer, Manayunk, from the Philadelphia and Norristown Railroad across Main street at Sumac street be, and the same is hereby approved, and that the American Trust, Loan and Guaranteed Investment Company of Philadelphia, be, and it is hereby approved as surety of the said Cooper and Atkinson for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For circular brick sewer, 4 feet in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of eight (8) dollars and forty-nine (49) cents; for circular brick sewer, 3 feet 9 inches in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of seven (7) dollars and forty-three (43) cents; for each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars; for each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars; for each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars; for additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents; for additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents; for furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents; for additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents; for additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents; for additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of two thousand seven hundred (2,700) dollars.

That the contract of Johnston and Byrens for the erection and roofing in of the main building of the High School on the lot of ground situate on the west side of Broad street between Green street and Brandywine street be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as

surety of the said Johnston and Byrens for the faithful performance of said contract.

That the contract of Doyle and Doak for the erection of a Fire House on a lot of ground situate at Twenty-sixth street and York street, for the Bureau of City Property be, and the same is hereby approved, and that the Commonwealth Title, Insurance and Trust Company of Philadelphia be, and it is hereby approved as surety of the said Doyle and Doak, for the faithful performance of the said contract.

That the contract of the American Artificial Stone Paving Company for paving and curbing around the Supply Building and new drip to Neufchatel roofs at the new County Prison be, and the same is hereby approved, and that the Merchants' Trust Company of Philadelphia be, and it is hereby approved as surety of the said the American Artificial Stone Paving Company for the faithful performance of the said contract; that the contract of Charles McCaul for the erection of a stable and wagon house and for grading at the new County Prison be, and the same is hereby approved, and that the Citizens Trust and Surety Company of Philadelphia be, and it is hereby approved as surety of the said Charles McCaul, for the faithful performance of the said contract; that the contract of P. E. Costello for work at the new County Prison in connection with the water supply, sewerage and plumbing and painting the wood and metal roof of enclosure wall and guard house and gutters of Supply and Administration Buildings be, and the same is hereby approved, and that the Tacony Saving Fund, Safe Deposit, Title and Trust Company be, and it is hereby approved as surety of the said P. E. Costello, for the faithful performance of the said contract.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the grading of Lafevre, Saybrook, Fifty-second, Hadfield, B and Dickinson streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-

ment of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the city, and construct the necessary drains, viz. : Lafevre street, from Richmond street to Frankford creek ; Saybrook street, from Seventieth to Seventy-second street ; Fifty-second street, from Baltimore avenue to Hadfield street ; Hadfield street, from Fifty-first to Fifty-second street ; B street, from Borbeck street to Huntingdon and Fox Chase turnpike ; Dickinson street, from Twenty-third to Twenty-sixth street. The cost for said work not to exceed seven thousand (7,000) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks ; *Provided*, That said streets shall be first dedicated or properly opened ; *And, further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the paving of Sixth, Mifflin, Jackson, Dickinson, Berkley, Engle, Knorr, Ployd, Tacona streets, Snyder, Belfield and Stenton avenues, Hartville street and Cedar lane.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Sixth street, from Allegheny avenue to Westmoreland street, with granite, Pennsylvania or Lambertville blocks ; the following streets with sheet asphaltum with broken stone base and binder, viz. : Mifflin street, from Sixteenth to Eighteenth street ; Jackson street, from Broad to Eighteenth street ; Snyder avenue, from Broad to Sixteenth street ; the following streets with vitrified paving bricks, viz. : Dickinson street, from Twenty-third to Twenty-sixth street ; Berkley street, from Germantown avenue to Wayne street ; Cedar lane, from Locust avenue to Cheltenham avenue ; Engle

street, from Price to Centre street; Knorr street, from Germantown avenue to Greene street; Ployd street, from Morton to Nash street; Tacona street, from Winona to Coulter street; Belfield avenue, from Mill to Penn street; Stenton avenue, from Germantown avenue to Logan street; Hartville street, from Cambria to Indiana street. The cost to the City for said work not to exceed twenty-three thousand (23,000) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished; *Provided*, Said streets shall be first dedicated or properly opened, and that the Director of the Department of Public Works first advertise for proposals for paving said streets and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend an ordinance approved April 9, 1894, to authorize the grading of Berkley, Bcone, Cresson, Magnet, and other streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved April 9, 1894, authorizing the grading of Berkley, Boone, Cresson, Magnet and other streets, be altered and amended in so far as it relates to Cresson street, from Shurs lane to Cedar street, by striking out the words and figures "two hundred (200) dollars," and inserting the words and figures "five hundred (500) dollars."

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the paving of the intersection of Forty-sixth and Linmore streets: and the paving of Twelfth, Thirteenth, Twentieth, Twenty-second, Twenty-third, Thirty-first, Morris, McKean, Butler, Seventeenth, Logan, Mutter, Venango, Franklin, Locust, Heiskell, Seventy-first, Warren, and Morse streets, Sedgley, Glenwood, Mt. Airy, Woodbine and Florence avenues," approved March 30, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance entitled "An Ordinance to authorize the paving of the intersection of Forty-sixth and Linmore streets, and the paving of Twelfth, Thirteenth, Twentieth, Twenty-second, Twenty-third, Thirty-first, Morris, McKean, Butler, Seventeenth, Logan, Mutter, Venango, Franklin, Locust, Heiskell, Seventy-first, Warren and Morse streets, Sedgley, Glenwood, Mt. Airy, Woodbine and Florence avenues," approved March 30, 1894, as relates to the paving of Twentieth street from Girard avenue to South College avenue with granite, Pennsylvania or Lambertville blocks, be altered and amended so as to provide for the paving of said Twentieth street, from Girard avenue to South College avenue, with sheet asphaltum with hydraulic cement concrete foundation instead of granite, Pennsylvania or Lambertville blocks.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend ordinance approved April 4, 1894, making an appropriation for and authorizing the construction of certain main sewers.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved the fourth day of April, 1894, entitled "An Ordinance to make

appropriation for and to authorize the construction of main sewers as follows : Connections with the Intercepting Sewer in Germantown; connections with the Intercepting Sewer in Manayunk ; Cresson street and Sunnyside avenue ; Ontario street; Aramingo Canal system : extension of the Intercepting Sewer near Chestnut Hill ; West Park near Girard avenue ; Dobson's Run on Juniata and other streets ; Montgomery avenue ; Thirty-third street ; Merion creek branch of Mill creek : Luzerne street ; Green and other streets ; Fifty-sixth street ; Allegheny avenue ; extension of Fifty-first street sewer on Springfield avenue and other streets ; Frankford street ; Ross and Upsal streets ; extension of Fifty-second street sewer ; Margaret street ; Botanic creek on Elmwood and other streets ; Commercial avenue and Ritner street : extension of the Horrocks street sewer on " P " and other streets ; Indiana street and Twenty-fourth street ; Emlen street ; Venango street ; Thomas run on Thomas avenue and other streets ; Sylvan street ; Winghocking creek ; Greenway avenue ; Cayuga and " E " streets " be, and the same is hereby amended by striking from Section I the words " westerly side " and substituting in lieu thereof the words " eastwardly side of the right-of-way " so that the same shall read " Intercepting Sewer partly through West Park between a point near Girard avenue and Fortieth street and the Junction Railroad, thence along the eastwardly side of the right-of-way of the Junction Railroad to Poplar street, in the Twenty-fourth Ward " ; and by striking out the words " Sixtieth street, on Sixtieth street to the northwesterly side of the P. W. & B. R. R., along the northwesterly side of the P. W. & B. R. R. to, " so that the same shall read " Botanic Creek sewer on Fifty-seventh street between the creek southeast of Elmwood avenue, and Elmwood avenue, on Elmwood avenue between Fifty-seventh street and Fifty-eighth street, on Fifty-eighth street to a drainage street northwest of Elmwood avenue, on a drainage street between Fifty-eighth street and Fifty-ninth street, on Fifty-ninth street to Gray's avenue, on Gray's avenue between Fifty-ninth street and Sixty-second street, on Sixty-second street and Paschall avenue between Sixty-second and Sixty-third streets, and on Sixty-third street, Paschall avenue to Woodland avenue, in the Twenty-seventh Ward. "

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

Directing the Directors of the Departments of Public Works and Public Safety and the Commissioners for the erection of Public Buildings to give per diem employees Saturday half holidays without deduction in pay.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Directors of the Departments of Public Works and Public Safety and the Commissioners for the erection of Public Buildings be, and are hereby directed to give the per diem employees in their respective departments, Saturday half day holidays, except in cases where it shall be found imperatively necessary to maintain the service of such departments, in which case the Saturday half holidays of the year shall be equally divided among such employees: *Provided*, That nothing herein contained shall deprive any employee receiving such Saturday half holiday of a full day's pay.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To place on the City plan Laurel, Malcolm, Fifty-and-a-half, Ameaska, Fifteen-and-a-half, Myrtlewood, Bambrey, Stillman, Gerritt and Wilder streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Laurel street, of the width of twenty-three feet, from Germantown avenue to Shoemaker's court; Malcolm street, of the width of thirty feet, from Fifty-first to Fifty-second street; Fifty-and-a-half street, of the width of thirty feet, from Kershaw avenue to Thompson street; Ameaska street, of the width of forty feet, from Fiftieth to Fifty-first street; Fifteen-and-a-half street, of the width of forty feet, from Westmoreland to Ontario street; Myrtlewood street, of the width of thirty feet, from Master to

Jefferson street ; Bambrey and Stillman streets, of the width of thirty feet, from Dickinson to Tasker street ; Gerritt and Wilder streets, of the width of thirty feet, from Twenty-third to Twenty-fourth street ; *Provided*, That the owners of ground within the lines of said streets, except on Laurel street, shall first dedicate the same as public highways, or shall first file a bond or enter into a written agreement with the City Solicitor indemnifying the City against all damages that may arise by reason of the placing or opening of the same, before this ordinance shall go into effect : *Provided*, however, That before Laurel street shall be placed on the plan, satisfactory evidence shall be furnished that the street has been laid out and opened prior to June 6, 1871. All ordinances or parts of ordinances inconsistent herewith, be, and the same are hereby repealed.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To strike from the City plan Thirty-fourth street, from Wissahickon avenue to Moreland avenue, and to strike from the City plan and vacate Arthur and Meredith streets, from New Rowland avenue to Crispen street.

SECTION. 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to strike from the City plan Thirty-fourth street, from Wissahickon (Springfield) avenue to Moreland avenue, in the Twenty-second Ward ; also, to strike from the City plan and vacate Arthur and Meredith streets, from New Rowland avenue to Crispen street, in the Thirty-fifth Ward : *Provided*, The owners of ground within the lines of said streets first file with the City Solicitor a satisfactory agreement not to claim damages by reason of the passage of this ordinance.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## AN ORDINANCE

To revise the lines and grades of that portion of the Twenty-seventh Ward lying between Ann, Upland and Seventieth streets and the County line.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of that portion of the Twenty-seventh Ward lying between Ann, Upland and Seventieth street and the County line: *Provided*, The owners of property affected first enter into an agreement or file a bond indemnifying the City from all damages by reason of the said revision.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the construction of sewers on Broad, "C." Coulter, Coulston, Fourth, Fifth, Forty-ninth, German, Hagert, Manakin, Melcher, Morton, Nevada, Ninth, Orianna, Ransstead, Seventh, Thouron, Twenty-fourth, Wayne and Westmoreland streets: on Passyunk and Roberts avenues, and on West Walnut lane.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, namely: Broad street, to be built and assessed on east side only, from McFerran to Franklin street; "C" street, from Somerset to Cambria street; Coulter street, from Wayne to Morris street; Coulston street, from Thouron to Manakin street; Fourth street, from Wolf to Old Second street; Fifth street, from Wolf to Old Second street; Forty-ninth street, to be built and assessed on northeast side only, from Chester branch of the Philadelphia and Reading Railroad to Paschall avenue; German street, from Third to Fourth street; Hagert

street, from Twenty-sixth to Twenty-seventh street; Manakin street, from Diamond to Norris street; Melcher street, from Susquehanna avenue to Coulston street; Morton street, from Tulpehocken street to Washington lane; Nevada street, from Thirtieth to Thirty-first street; Ninth street, from Wolf street to Moyamensing avenue; Orianna street, from Berks to Norris street; Ranstead street, from Fourth to Fifth street; Seventh street, from Wolf to Shunk street; Thouron street, from Susquehanna avenue to Diamond street; Twenty-fourth street, from Christian street to Gray's Ferry avenue; Wayne street, from Roberts avenue to Cayuga street; Westmoreland street, from Sixteenth to Seventeenth street; Passyunk avenue, from Mifflin to McKean street; Roberts avenue, from Germantown avenue to Wayne street; West Walnut lane, from Green street to southwest 858 feet.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders: and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869: any excess over and above said assessment in addition to that provided for by ordinance, entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys), to an amount not exceeding the sum of twenty-one thousand (21,000) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance, except on Stenton avenue, the undedicated portion of Centre street and Lena street, until the streets are on the City plan, legally opened and all the properties abutting thereon assessed to full City rates: *Provided*, however, that where properties are assessed at less than full City rates and the streets on the plans are

opened, he may advertise and award contracts upon the receipt of a duly executed agreement binding owners to pay the regular assessment charges.

Approved the twenty-ninth day of June, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize the appointment of a "Canal Commission" to make surveys for a ship canal between the waters of the Delaware River and the Atlantic Ocean and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor be, and he is hereby authorized to appoint a Commission to consist of eleven persons, to include the Mayor of the City of Philadelphia, to be known as The Canal Commission, whose duties shall be to organize, supervise and direct surveys and examinations of the route of the proposed ship canal between the waters of the Delaware river and the Atlantic ocean, and make a report thereon to the Mayor, to be by him transmitted to Councils with such recommendations as the said Commission may be pleased to make.

SECT. 2. That the sum of ten thousand (10,000) dollars be, and the same is hereby appropriated, to new item 6½ in the annual appropriation to the Mayor for the year 1894, to pay the expenses of said surveys and examinations of the proposed ship canal as set forth in Section 1 of this ordinance. All warrants shall be drawn by the Mayor, upon the approval of the bills by the said Commission and the Director of the Department of Public Works.

Approved the second day of July, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To place League Island Park upon the City Plan.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the lot of ground bounded by Pattison avenue, Eleventh street, Schuylkill avenue and Twentieth street, is hereby selected for a Public Park, and the Department of Public Works is hereby authorized and directed to place said Park, as above described, under the name of League Island Park upon the City plan, and to strike therefrom the lines of all unopened streets within the boundaries of said Park.

Approved the second day of July, A. D, 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize The Northern Electric Light and Power Company to lay and maintain underground conduits, conductors and wires, construct manholes, make house connections and to authorize the use of overhead wires and conductors within certain limits.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That within the territory comprised in the following limits, to wit: Between the north side of Poplar street and the south side of Vine street, and the east side of Broad street and the Delaware river for the purpose of furnishing electric incandescent lights and power, The Northern Electric Light and Power Company is hereby authorized to lay and maintain underground conduits, electrical conductors and cables, and to construct manholes; and the said company is authorized to construct and operate overhead wires and electrical conductors upon such poles as it may obtain the privilege of using, erected and maintained by the City, or any telegraph, telephone or electric lighting company in the territory above described, as shall be approved by the Department of Public Safety (Electrical Bureau), and to

make house connections from its electrical conductors along the route of the same. All underground conduits laid by authority of or under the requirements hereof, shall be laid and constructed in accordance with and subject to the provisions of Section 2 of this ordinance.

SECT. 2. All underground electrical conductors, tubes, conduits, manholes, etc., laid or constructed under this ordinance shall be in accordance with the provisions of an ordinance approved August 5, 1886, regulating the construction, laying and maintaining of underground electrical conductors, tubes, conduits, manholes, etc., and in accordance with such other ordinances as are now in force or that may be hereafter enacted, so far as the same does not conflict with this ordinance. The said The Northern Electric Light and Power Company shall, at its own cost and expense, furnish the City of Philadelphia, Department of Public Safety (Electrical Bureau), two ducts of two and one-half inches internal diameter, or whatever the said Department and the said Company may agree upon as the equivalent of the same. Whenever conduits are laid in the highways under this ordinance, the said ducts to be chosen by the Chief of the Electrical Bureau and used for police and fire alarm, telephone or telegraph purposes only. The ducts laid for the City shall thereafter be subject to the control of the Electrical Bureau, and access thereto and to the manholes shall be unrestricted. The said Company shall wire and furnish the lamps and light all City buildings occupied as police and fire stations within the said territory in the vicinity of their overhead and underground conductors free of charge to the City; such wiring shall be completed and light supplied within ninety (90) days after notice shall have been given by the Department of Public Safety. The said Company shall repave the streets opened by it for the purpose of laying conduits with pavement similar to that on the street opened, or with Belgian block pavement, if the blocks be furnished to the said Company: *Provided*, Said Company shall not be required to repave any street its full width when the same shall be more than twenty feet, the paving to be done under and in accordance with the specifications in use by the Department of Public Works for the repair of streets of the character and locality of those opened by the said Company. Any and all wires and fixtures erected or maintained by the Company on City or other poles for whatever purposes not approved by the Department of Public Safety shall, upon five

days' notice from said Department, be removed therefrom, and upon failure to comply with said notice, the wires and fixtures may be removed by the Department aforesaid at the cost and expense of the said Company. The said Company shall give a bond to be approved by the City Solicitor in the sum of ten thousand (10,000) dollars for the faithful compliance with the provisions of this ordinance, as well as to protect the City from any loss or damage, or for any claims for loss or damage that may arise from the exercise from any or all of the privileges granted by this ordinance, and to cover any expense incurred by the City in the removal of wires or fixtures belonging to said Company. Before any permit is issued for breaking of the streets, the said Company shall file an agreement with the City Solicitor to comply with the provisions of this ordinance. All wires to be erected under the supervision and approval of the Department of Public Safety (Electrical Bureau). Nothing herein contained shall be construed to grant permission to run cars or vehicles by overhead service on any of the streets of the City. Said Company shall pay into the City Treasury the sum of fifty (50) dollars for the printing of this ordinance.

Approved this second day of July, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Granting permission to the Mutual Automatic Telephone Company to construct manholes, cables, wires and terminal poles for electrical purposes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to the Mutual Automatic Telephone Company to construct manholes, and open streets to lay and maintain an underground conduit system of cables and wires on, over under or through any of the streets of the City of Philadelphia, for the purpose of establishing communication between its patrons, exchanges and subscribers thereto, and provide drawing in and out conduits convenient to such manholes; and, also, to erect terminal poles in each block of said City.



Said poles, conduits and manholes are to be located by the Department of Public Safety. And said company is authorized and empowered to purchase, sell, lease, hire or operate any conduits that have been or may be constructed by the City of Philadelphia, or any individual firm or corporation authorized by Councils to operate street conduits under the conditions of the ordinance of August 5, 1886, and said individual firms and corporations or owners of any such conduits are hereby authorized to sell, lease, rent, or otherwise dispose of same.

SECT. 2. The company shall pave streets opened by it for the purpose of laying conduits with pavements like that of the street opened and in accordance with the specification in use in the Department of Public Works for street repairs in the locality and the character of the streets opened by said company: *Provided*, The streets which are twenty feet or less in width shall, when opened by the company for this purpose, be repaved by it from curb to curb. When streets paved with asphaltum are opened, on which the contractor's guarantee has not expired by limitation, the said company shall have power to arrange with contractor to open and relay such pavement under an agreement to be drawn by the City Solicitor, making the work a part of the original contract; and the Department of Public Works shall be empowered to appoint an inspector to see that the work is done in accordance with the specifications of the department, and the obligation of the company to cease and end upon the filing of the report by the inspector, provided the Department of Public Works files no objection to the work within twenty (20) days after the date of the inspector's report.

SECT. 3. That the said company shall provide and maintain one set of its instruments by special wires, its exchange with the Electrical Bureau of the City, and shall furnish, without expense to the City, its service to the Office of the Mayor, Directors of Public Works and Public Safety, Clerks of Select and Clerks of Common Council, Bureau of Boiler Inspection, Bureau of Building Inspection, Bureau of City Property, Bureau of Highways, Bureau of Surveys, Electrical Bureau, Bureau of Health, Office of the City Commissioners, Controller, Treasurer, District Attorney, Receiver of Taxes, Recorder of Deeds, Register of Wills, Clerk of Quarter Sessions, Board of Charities and Correction, City Solicitor,

Coroner, Board of Public Education, the Girls' and Boys' High and Girls' Normal Schools, and one of the school buildings in each section that the Board of Public Education may designate, Sheriff, Prothonotary, Court of Common Pleas, Supreme Court, Orphan's Court, Board of Revision of Taxes, Presidents of Select and Common Councils, and Chairmen of Finance, Highway and Survey Committees of Councils, at their places of business or homes, as they may designate, and the residences of the Chief Clerks of the Select and Common Councils.

SECT. 4. The said Company shall place its telephones in all the police station-houses in the City, without expense to the City, and shall thereby furnish to its subscribers and patrons free communication with the police system.

SECT. 5. The said company shall pay to the City of Philadelphia annually two and one-half ( $2\frac{1}{2}$ ) per cent. of its gross receipts, and shall and will, on the first day of February of each year, make and return to the Controller of the City a statement in such form, and verified in such manner as he may require, of the reports for the year ending the thirty-first day of December. And the moneys payable to the City under this provision by the said company shall be payable to the City on the first day of February in each year.

SECT. 6. The said company shall limit the cost of its annual service for business purposes to the sum of seventy-five (75) dollars per instrument, and for private dwellings to fifty (50) dollars per instrument.

SECT. 7. That said company shall, within ninety (90) days from the passage of this ordinance, file their plans of system proposed, and shall commence its work provided for by this ordinance within ninety (90) days after such plans are approved of by the Director of the Department of Public Works; and shall expend not less than one hundred thousand (100,000) dollars in work and materials for carrying out the privileges herein conferred upon it within one year from the time the Department of Public Works approves of its proposed plans for operation.

SECT. 8. The said company shall, immediately upon the passage of this ordinance, give a bond to the City of Philadelphia in the sum of fifty thousand (50,000) dollars conditioned for the faithful compliance with the provisions of this

ordinance, which bond shall contain a recital of every one of the conditions set forth in this ordinance. This bond shall be executed with the surety or securities satisfactory to the City Solicitor.

SECT. 9. No permit shall be issued for the breaking of any of the streets of the City, under and by virtue of this ordinance, until the bond hereinabove provided for shall have been prepared by, and filed with the City Solicitor, entered of record, and a copy thereof furnished to the Board of Highway Supervisors, nor until fifty (50) dollars shall have been paid into the City Treasury for printing this ordinance.

Approved the second day of July, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

Confirming the sale of the school building (Irving school) Bridesburg, Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sale made after due advertisement, on Wednesday, June 6, 1894, by James A. Freeman & Co., Auctioneers, at public sale, by order of Edwin S. Stuart, Mayor, and Abraham M. Beitler, Director of the Department of Public Safety, pursuant to the ordinance, entitled "An Ordinance authorizing and directing the Mayor and the Director of the Department of Public Safety to offer at public sale the school-house property at Bridesburg, Twenty-fifth Ward, known as the 'Irving School,'" approved September 20, 1892, and described as follows: All that lot of ground with the public school building thereon, situate in Bridesburg, in the Twenty-fifth Ward, beginning at a corner in the middle of a thirty feet wide street running parallel with Church street and connecting with said street at the northwesterly end by a thirty (30) feet wide street and southeasterly by a twenty (20) feet wide street, being also a corner of land granted to Charles B. Dungan: and extending thence by said Dungan's land south 38 degrees 45 minutes west 192.14 feet to a corner on the side of William Reynold's land; thence extending by said

Reynold's land south  $61\frac{1}{2}$  degrees east 60.44 feet to a corner of land granted to John Sprees, or intended so to be by Francis E. Somerdike; thence extending by said Sprees' lot north  $38\frac{3}{4}$  degrees east 181.8 feet to a corner in the middle of the thirty (30) feet wide street first above mentioned; and thence extending along the middle of said street north 51 degrees 15 minutes west 60 feet to the place of beginning, was sold unto Walter E. Rex, attorney, at and for the price of sixteen hundred and fifty (1,650) dollars, cash, be and the same is hereby confirmed.

SECT. 2. The Mayor is hereby authorized and directed, upon said purchaser paying the purchase money according to the terms of the said sale, to execute under the corporate seal of the City, acknowledge and make proof of the said seal and deliver a deed conveying said premises unto the said purchaser in fee, absolutely, said payment to be made to the City Treasurer through the Department of Public Safety (Bureau of City Property).

Approved the seventeenth day of September, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

Confirming the sale of "The Harrison School" property,  
Second and Master streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sale made after due advertisement on Wednesday, June 6, 1894, by James A. Freeman & Co., auctioneers, at public sale, by order of Edwin S. Stuart, Mayor, and Abraham M. Beitler, Director of the Department of Public Safety, pursuant to the ordinance of Select and Common Councils of the City of Philadelphia, namely, "An Ordinance directing the Mayor and Director of the Department of Public Safety to offer at public sale the property known as 'The Harrison School House' at Second and Master streets," approved April 4, 1894, and described as follows: All that certain lot or piece of ground situate on the south side of Master street between Delaware Second and

Washington streets in the Kensington District, in the Northern Liberties, in the County of Philadelphia, beginning at the distance of eighty-eight (88) feet westward from the southwest corner of the said Second and Master streets; containing in front or breadth on the said Master street one hundred (100) feet and extending thence in length or depth southward one hundred (100) feet, with the privileges of two eight (8) feet wide alleys on the east and west respectively, was sold unto Thomas McKean, President of the North Pennsylvania Railroad Company, for the price of fifteen thousand (15,000) dollars cash, be and the same is hereby confirmed.

SECT. 2. The Mayor of the City of Philadelphia is hereby authorized and directed, upon the said purchaser paying the amount of purchase money according to the terms of the said sale, to execute under the corporate seal of the City of Philadelphia, acknowledge and make proof of the said seal, and deliver a deed conveying said premises unto the said purchaser in fee absolutely. The said payment to be made to the City Treasurer through the Department of Public Safety (Bureau of City Property).

Approved the seventeenth day of September. A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Confirming the sale of the lot at the northwest corner of Eleventh and Moore streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sale made after due advertisement on Wednesday, June 6, 1894, by James A. Freeman & Co., auctioneers, at public sale, by order of Edwin S. Stuart, Mayor, and Abraham M. Beitler, Director of the Department of Public Safety, pursuant to the ordinance entitled "An Ordinance directing the Mayor and the Director of the Department of Public Safety to offer at public sale a certain lot or piece of property in the First Ward," approved May 7, 1894, and described as follows: All that certain lot or piece of ground commencing at a point at the northwest

corner of Eleventh and Moore streets; thence extending northward along the said Eleventh street thirty-three (33) feet nine and one-quarter ( $9\frac{1}{4}$ ) inches; thence northwestward nine (9) feet one and one-quarter ( $1\frac{1}{4}$ ) inches to a point; thence southwestward seventy-two (72) feet six and three-quarters ( $6\frac{3}{4}$ ) inches to a point; thence southward parallel with said Eleventh street one (1) foot ten and one-half ( $10\frac{1}{2}$ ) inches to the north side of said Moore street; and thence eastward along the same sixty-six (66) feet eight (8) inches to the place of beginning, was sold unto George A. Twibill, at and for the price of one thousand (1,000) dollars cash be, and the same is hereby confirmed.

SECT. 2. The Mayor is hereby authorized and directed, upon the said purchaser paying the amount of purchase money according to the terms of the said sale, to execute under the corporate seal of the City, acknowledge and make proof of the said seal, and deliver a deed conveying said premises unto the said purchaser in fee absolutely. The said payment to be made to the City Treasurer through the Department of Public Safety (Bureau of City Property).

Approved the seventeenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To appropriate a certain lot of ground in the Twenty-eighth Ward for purposes connected with the supply of water to the City.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That there be appropriated for the purposes connected with the supply of water to the City a certain lot of ground in the Twenty-eighth Ward, beginning at the intersection of the northeast side of Ridge avenue and the southwesterly side of School lane; thence extending along northeast line of Ridge avenue south  $28^{\circ} 27' 41''$  east four hundred and thirty-two (432) feet two and one-eighth ( $2\frac{1}{8}$ ) inches to angle in Ridge avenue; thence extending along the same south  $37^{\circ} 39' 41''$  east one hundred and ninety-five

(195) feet two and five-eighth ( $2\frac{5}{8}$ ) inches to a point; thence north  $22^{\circ} 03' 34''$  east at right angles to the Philadelphia & Norristown Railroad, over land of Wm. Weightman six hundred and seventy-six (676) feet ten and five-eighth ( $10\frac{5}{8}$ ) inches to the southwestern boundary line of the right of way of the said Philadelphia and Norristown Railroad; thence extending along the said right of way north  $67^{\circ} 56' 26''$  west one hundred (100) feet to the intersection of same, with the southeastern line of School lane; thence by said School lane south  $40^{\circ} 10' 34''$  west two hundred and eighty-nine (289) feet three and five-eighth ( $3\frac{5}{8}$ ) inches to angle in School lane; thence still by southeasterly side of School lane south  $60^{\circ} 42' 09''$  west one hundred and eight (108) feet seven and one-fourth ( $7\frac{1}{4}$ ) inches to other angle in School lane; thence along southwesterly side of School lane north  $55^{\circ} 00' 41''$  west two hundred and fifty (250) feet and nine (9) inches to the said northeast side of Ridge avenue and the place of beginning, containing three and one thousand nine hundred and sixty-eight ten thousandths ( $3\frac{1968}{10000}$ ) acres.

Approved the nineteenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Supplementary to an ordinance permitting the Lombard and South Streets Passenger Railway Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires, approved March 30, 1893.

WHEREAS, By the first section of an ordinance entitled "An Ordinance permitting the Lombard and South Streets Passenger Railway Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires," permission was given to the said Company to use electric motors as the propelling power of its cars on its tracks as the same are authorized to be laid along Baltimore avenue to and into Angora, now, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and the same

is hereby granted to the Lombard and South Streets Passenger Railway Company to use electric motors as the propelling power of its cars on its tracks as the same are therein authorized to be laid along Baltimore avenue to and into Angora, and in, upon and over the bridge which crosses Cobb's Creek to the line which is the boundary line between the City of Philadelphia and Delaware County, with the right to lay such curves, switches and turnouts as may be necessary: *Provided, however,* That the permission hereby granted is under and subject to all the provisions and stipulations mentioned and contained in the said ordinance of March 30, 1893, to which this is a supplement. And that fifty (50) dollars be first paid by said Company into the City Treasury for printing this ordinance.

Approved the nineteenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the Electric Traction Company to lay water pipe across Delaware avenue, north of Poplar street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Electric Traction Company is hereby authorized to lay eighteen (18) inch water pipe across Delaware avenue, in place of nine (9) inch pipe, as now laid; the City not to bear any of the expense. Fifty (50) dollars shall be paid into the City Treasury by the said Electric Traction Company for the printing of this ordinance.

Approved the nineteenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To amend an ordinance entitled "An Ordinance granting permission to use electric motors to be supplied from overhead wires, and erect and maintain poles to support said wires on the streets along which the Frankford and Southwark Philadelphia City Passenger Railroad Company or lessee's tracks are to be laid, and permit any lessee of said railroad to use, erect and maintain the same," passed by Councils June 14th, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That Section 3 of the ordinance entitled "An Ordinance granting permission to use electric motors to be supplied from overhead wires, and erect and maintain poles to support said wires on the streets along which the Frankford and Southwark Philadelphia City Passenger Railroad Company or lessee's tracks are to be laid, and permit any lessee of said railroad to use, erect and maintain the same," which was passed by Councils June 14, 1894, be altered and amended by striking out the words "within one year" and inserting the words "within five years."

Approved the nineteenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To lay water pipe in Harrison, Lock, Joyce, Westmoreland, Fifty-second, Malcolm, Stephens, Fifty-four-and-a-half, Second street pike, Levick street and Whitby avenue, and to relay Orange and Leaf streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works is hereby authorized and directed to lay water pipe in Harrison street from Hancock to Mascher street; Lock street, from Main to Canal bank; Joyce street, from Venango to Harrowgate lane; Westmoreland street, from Kensington avenue to Jasper street; Whitby avenue, from Baltimore avenue to Fifty-third street; Fifty-second street, from Baltimore ave-

nue to Whitby avenue; Malcolm avenue, from Fifty-first to Fifty-second street; Stephens street, from Twenty-sixth to Taney street; Fifty-four-and-a-half street, from Wyalusing avenue to Penngrove street; Second street pike, from Comly to Levick street; Levick street, from Second to G street; and to relay with larger pipe Orange street from Seventh to Eighth street, and Leaf street from Orange to Locust street.

Approved the nineteenth day of September, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To grant permission to the Aramingo Avenue Passenger Railway Company to lay tracks on Aramingo avenue, use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to the Aramingo Avenue Passenger Railway Company to lay double tracks, as follows: Beginning at the intersection of Aramingo avenue and East Girard avenue, and thence extending to the northeasterly side of Somerset street with power to make such curves, loops, sidings, and turnouts as may be necessary and advisable for the purpose of running up and down the said Aramingo avenue and making a circuit.

SECT. 2. That permission be, and the same is hereby granted to the said Aramingo Avenue Passenger Railway Company to use electric motors as the propelling power of its cars on the tracks as the same are authorized to be laid in Section 1, of this ordinance. Said motors to be supplied from overhead wires supported by iron poles, not less than twenty feet high, which the said company is authorized to erect and maintain, and to be placed opposite each other, within the curb lines and connected with street wires, or at the option of the company to be erected in the middle of the streets with a double bracket thereon suspending the overhead construction. That the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and

operating of an elevated railway or railroad on any of the streets or avenues herein named. The same to be of the kind, style, and system as that now constructed by the Catharine and Bainbridge Streets Railway Company, and all feed wires shall be buried.

SECT. 3. Before any permit shall be issued by Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this Ordinance, the said railway company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall, among other things provide, that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized, or unimproved, all streets, avenues, or roads, traversed by its lines of railway or by its trolley system as in this ordinance provided; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control, or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of its roadbed, cars or its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety. That the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils. The wires necessary for supplying the motors on cars crossing bridges on the lines authorized shall be erected according to plans to be submitted to and approved by the Directors of Public Works and Safety. That the said railway company shall run cars over the entire line, at intervals not exceeding five minutes, between the hours of six (6) and nine (9) A. M., and five (5) and eight (8) P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of twelve (12) midnight and five (5) A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed the present rates per passenger, except between midnight and five (5) o'clock A. M., when it shall not exceed ten (10) cents. That work upon the said railway and trolley system shall

be begun within six (6) months from the opening of said Aramingo avenue, and in operation over the entire route herein named within one year thereafter, and that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City and the money shall be paid into the City Treasury if the said railway company shall default in its agreement.

SECT. 4. That the said company shall, under the supervision of the Department of Public Works repave, when necessary, in good, substantial, and workmanlike manner, with Belgian blocks or other improved pavement as directed by ordinance of Councils or the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it not paved with such improved pavement, and also all other streets heretofore paved with an improved pavement, the paving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires or by other electric motive-power system. Such repaving shall be commenced, if necessary, upon each of the said streets as soon as the construction of the roadbed, or of the poles or trolley wires, or other electric motive-power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same, at the expense and cost of the said railway, trolley, or other electric motive-power company constructed therein, and that said company shall at all times hereafter keep the paving of said streets in good repair, when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive-power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving, and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed

or which may hereafter be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly. *Provided, however,* That no portions of said street set apart from the main thoroughfare as a carriage or driveway shall be used by said company, nor shall it have any control over the same, nor be required to maintain or pave the same. And that fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the fourth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to Item 7 in the annual appropriation to the Clerks of Councils for the year 1894 to pay certain warrants.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of five hundred and sixteen (516) dollars and ninety-eight (98) cents be, and the same is hereby appropriated to Item 7 in the annual appropriation to the Clerks of Councils for the year 1894, for the payment of warrant 882, June 2, 1876; House of Correction, in favor of Field & Hardie for one hundred and fifty-five (155) dollars and thirty-one (31) cents, and warrant of Park Commission No. 1566, favor of R. Thayer, salary, two hundred and ninety-one (291) dollars and sixty-seven (67) cents, dated June 10, 1876, with interest to the date they were called for payment by the City Treasurer: *Provided,* That the sum of fifty (50) dollars be paid into the City Treasury for the publication of this ordinance.

Approved the ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to Item 4 in the annual appropriation to the Department of City Controller, and Item 7 in the annual appropriation to the Mayor for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one thousand one hundred and sixty-five (1,165) dollars and forty (40) cents be and the same is hereby appropriated to Item 4 in the annual appropriation to the Department of City Controller, and Item 7 in the annual appropriation to the Mayor for the year 1894, as follows :

Department of City Controller—To Item 4, for books, stationery, etc., four hundred (400) dollars.

Mayor—To Item 7, for printing certificates of city loan seven hundred and sixty-five (765) dollars and forty (40) cents.

Approved the ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE.

To authorize certain transfers in the annual appropriation to the Department of Public Safety, Bureaus of Police, Fire, Health, Electrical, City Property and Building Inspectors, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers in the annual appropriation to the Department of Public Safety, Bureaus of Police, Fire, Health, Electrical and City Property, for the year 1894.

Bureau of Police :—From Item 1, for salaries, eleven thousand one hundred (11,100) dollars, to the following items : Item 2, for cleaning stations, &c., five hundred (500) dollars ; Item 8, for incidentals, &c., one thousand (1,000) dollars ; Item 9, for stationery, &c., one thousand five hundred (1,500)

dollars: Item 14, for repairs to boats, &c., three thousand (3,000) dollars; Item 18, for straw, feed, &c., five thousand (5,000) dollars; Item 21, for supplies for patrol wagons, &c., one hundred (100) dollars.

Bureau of Health:—From Item 7, for disinfecting tank, &c., one thousand (1,000) dollars.

Bureau of City Property:—From Item 43, for purchase of a site for Municipal Hospital, twenty thousand (20,000) dollars, in all twenty-one thousand (21,000) dollars. To the following Items in the Bureau of Health: Item 1, for salaries, four thousand seven hundred and six (4,706) dollars; Item 2, for pay vaccine physicians, three thousand six hundred (3,600) dollars; Item 3, for vaccine virus, seven hundred (700) dollars; Item 4, for postage, &c., one hundred and fifty (150) dollars; Item 5, for stationery, &c., nine hundred (900) dollars; Item 6, for removal of nuisances, six thousand two hundred and forty four (6,244) dollars; Item 9, for care of patients, &c., two thousand (2,000) dollars; Item 10, for board and washing, two thousand (2,000) dollars; Item 11, for clothing, &c., seven hundred (700) dollars.

Bureau of Fire:—From Item 1, for salaries, fifteen thousand seven hundred (15,700) dollars. To the following Items: Item 3, for straw, &c., one thousand eight hundred (1,800) dollars; Item 4, for repairs, &c., two thousand six hundred (2,600) dollars; Item 5, for supplies, &c., five hundred (500) dollars; Item 6, for printing, &c., one hundred (100) dollars; Item 7, for fuel, one thousand five hundred (1,500) dollars; Item 8, for foreign hose, &c., five thousand four hundred (5,400) dollars; Item 10, for harness &c., one hundred (100) dollars; Item 11, for ice, fifty (50) dollars; Item 14, for incidentals, &c., one hundred and fifty (150) dollars; Item 18, for bedding, &c., three thousand (3,000) dollars; Item 19, for alterations, &c., five hundred (500) dollars.

Electrical Bureau:—From Item 17, for extension new electric lights, five thousand (5,000) dollars. To the following Items: Item 7, for stationery, &c., five hundred (500) dollars; Item 13, for cables, conduits, &c., four thousand five hundred (4,500) dollars.

Bureau of Building Inspectors:—From Item 1, for salaries, four thousand three hundred and thirty-three (4,333) dollars to the following Items: Item 1, for salaries for an additional clerk at the salary of one thousand two hundred (1,200) dollars per

annum, three hundred (300) dollars ; for salary of an Inspector to be detailed as deputy chief, at a salary of two thousand two hundred (2,200) dollars per annum, fifty (50) dollars ; Item 5, for incidentals and general expenses of office, new furniture, &c., three thousand nine hundred and eighty-three (3,983) dollars.

Approved the ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE.

To authorize certain transfers in the annual appropriation to the Department of Public Works for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and is hereby authorized to make the following transfers in the annual appropriation to the Department of Public Works for the year 1894, to wit :

Bureau of Gas :—From Item 6½, for extension of the Gas Works, two hundred and twenty-five thousand (225,000) dollars.

Bureau of Water :—To Item 10½, for extension of the Water Works.

Bureau of Highways :—From Item 30A, for repaving streets with improved pavement, sixteen thousand nine hundred and fifty-eight (16,958) dollars and eighteen (18) cents ; from Item 30C, for repaving tramway and small streets, six thousand seven hundred and fifty-four (6,754) dollars and ninety-six (96) cents.

Bureau of Surveys :—From Item 27, for main sewers, five thousand dollars ; in all, twenty-eight thousand seven hundred and thirteen (28,713) dollars and fourteen (14) cents.

Bureau of Highways :—To Item 26, for repairing with improved pavement streets not occupied by passenger railways, twenty-three thousand seven hundred and thirteen (23,713) dollars and fourteen (14) cents.



Bureau of Surveys:—To Item 15, for the repair, reconstruction and improvement of old sewers, five thousand (5,000) dollars; in all, twenty-eight thousand seven hundred and thirteen (28,713) dollars and fourteen (14) cents.

Approved the ninth day of October, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

### AN ORDINANCE

Amendatory to an ordinance making an appropriation to the Department of Public Safety (Electrical Bureau) for the erection of electric lights in the Twenty-eighth and Thirty-second Wards, approved March 27, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to appropriate the sum of five thousand (5,000) dollars to Item 17½ in the annual appropriation to the Department of Public Safety (Electrical Bureau), for the year 1894, for the erection and maintenance of electric lights in the Twenty-eighth and Thirty-second Wards." be altered and amended by striking out all after the words "electric lights," on the sixth line, and inserting in lieu thereof the following: "in the Twenty-eighth and Thirty-second Wards, west of Twenty-second street, and including Twenty-second street."

Approved this ninth day of October, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

### AN ORDINANCE

To authorize certain transfers in the annual appropriation to the Departments of Public Works, Public Safety, Law, and Education for the year 1894, and the appropriation to the Commissioners for the erection of the Public Buildings, approved March 31, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and

is hereby authorized to make the following transfers in the annual appropriations to the Department of Public Works, Public Safety, Law, Education and Commissioners for the erection of the Public Buildings, for the year 1894, viz:

Department of Public Works, Director's Office:—From Item 1, for salaries, four hundred and eighty-two (482) dollars and ninety (90) cents.

City Ice Boats:—From Item 2, for fuel, three thousand (3,000) dollars; from Item 3, for wages, five thousand (5,000) dollars.

Bureau of Gas:—From Item 6, for gas manufactured by the Philadelphia Gas Improvement Company, ten thousand (10,000) dollars.

Bureau of Highways:—From Item 1, for salaries, one thousand seven hundred (1,700) dollars; from Item 17, for keep of horses, two hundred and sixty (260) dollars; from Item 24, for abolishing grade crossings at Magee and Levick streets, twenty-five thousand (25,000) dollars; from Item 26, for repaving streets, etc., twenty-three thousand seven hundred and thirteen (23,713) dollars and fourteen (14) cents.

Bureau of Lighting:—From Item 7, for lighting Northern Liberties gas district, one thousand two hundred and forty (1,240) dollars.

Bureau of Street Cleaning:—From Item 1, for salaries, one thousand and thirteen (1,013) dollars and twenty-nine (29) cents; from Item 2, for keep of horse and wagons, two hundred and eighty-seven (287) dollars and seventy-six (76) cents; from Item 4, for cleaning streets, removing garbage, etc., seven thousand seven hundred and fifty-eight (7,758) dollars and forty-five (45) cents.

Bureau of Surveys:—From Item 1, for salaries, four hundred and two (402) dollars; from Item 18, for new bridges, twenty-five thousand (25,000) dollars; from Item 27, for main sewers, seven thousand five hundred (7,500) dollars; from Item 29, for wages of temporary engineer corps, eight hundred and eighty-five (885) dollars.

Bureau of Water:—From Item 1, for salaries, four thousand (4,000) dollars; in all, one hundred and seventeen thousand two hundred and forty-two (117,242) dollars and fifty-four (54) cents.

Director's Office:—To Item 3, for printing, stationery and incidental expenses, five hundred and seventy-nine (579) dollars and forty (40) cents.

City Ice Boats:—To Item 1, for repairs and equipments, two thousand five hundred (2,500) dollars.

Bureau of Gas:—To Item 4, for materials and supplies, repairs, etc., ten thousand (10,000) dollars; to Item 5, for printing, advertising, stationery and incidentals, one thousand two hundred (1,200) dollars.

Bureau of Highways:—To Item 3, for repairs to paved streets twenty-three thousand seven hundred and thirteen (23,713) dollars and fourteen (14) cents; to Item 9, for printing, advertising and stationery, seven hundred (700) dollars; to Item 11, for incidental office expenses, one thousand (1,000) dollars; to Item 11½, for hauling and yard expenses, one thousand (1,000) dollars; to Item 21, for emergencies, three thousand (3,000) dollars.

Bureau of Lighting:—To Item 4, for material and supplies, one thousand (1,000) dollars.

Bureau of Street Cleaning:—To Item 3, for printing, stationery and incidentals, two hundred and fifty (250) dollars.

Bureau of Surveys:—To Item 2, for stationery, record books, etc., six hundred (600) dollars; to Item 3, for incidentals, five hundred (500) dollars; to Item 6, for examination of bridges and sewers, two hundred (200) dollars; to Item 15, for repair, reconstruction and improvement of old sewers, twenty thousand (20,000) dollars; to Item 16, for removing objectionable footway gutters, five thousand (5,000) dollars.

Bureau of Water:—To Item 3, for repairs to machinery, six thousand (6,000) dollars; to Item 4, for maintenance and repairs to buildings, grounds and reservoirs, six thousand (6,000) dollars; to Item 5, for repairs and improvement of distribution, five thousand (5,000) dollars; to Item 6, for supplies and labor at the City construction and repair shop, ten thousand (10,000) dollars; to Item 7, for general incidental and contingent expenses, two thousand (2,000) dollars; to Item 8, for the purchase of material and cost of labor in the laying of service pipe, seventeen thousand (17,000) dollars.

Department of Public Safety, Bureau of Police:—From Item 1, for salaries, seven thousand (7,000) dollars.

Bureau of Fire:—From Item 1, for salaries, one thousand (1,000) dollars.

Electrical Bureau.—From Item 1, for salaries, one thousand (1,000) dollars; from Item 11, for rent of phones, etc., one thousand (1,000) dollars; From Item 15, for lamps, etc., five hundred (500) dollars; from Item 16, for electric lighting, two thousand (2,000) dollars; from Item 17, for extension new electric lights, five hundred (500) dollars.

Bureau of City Property:—From Item 5, for fees, etc., three hundred (300) dollars; from Item 10, for rent, four hundred and sixty (460) dollars; from Item 28, for retaining wall, two thousand five hundred (2,500) dollars; from Item 30, for police and patrol house, six hundred and twenty-one (621) dollars; from Item 31, for fire station, etc., one thousand seven hundred (1,700) dollars; from Item 34, for combination house, etc, three thousand (3,000) dollars; from Item 35, for new fire house, etc., seven hundred and eighty five (785) dollars; from Item 45, for new cells, Twenty-fourth District, nine hundred and eighty-six (986) dollars; making in all twenty-three thousand three hundred and fifty-two (23,352) dollars.

To the following Items, Director's office:—To Item 4, for incidentals, seven hundred and fifty (750) dollars.

Bureau of City Property:—To Item 2, for printing, etc., five hundred (500) dollars; to Item 3, for repairs to wharves, five hundred (500) dollars; to Item 4, for cleaning docks, two thousand eight hundred (2,800) dollars; to Item 6, for labor, etc., one thousand (1,000) dollars; to Item 16, for stationery, etc., three hundred (300) dollars; to Item 19, for repairs, etc, eleven thousand and two (11,002) dollars; to Item 20, for stoves, etc., one thousand (1,000) dollars; to Item 21, for laying improved pavements, four thousand (4,000) dollars; to Item 42, for alterations, etc., fire house, Eighteenth and South streets one thousand five hundred (1,500) dollars:

Law Department:—From Item 7, for advertising affidavits, serving notices, etc., seven hundred (700) dollars, to Item 6, for miscellaneous expenses.

Board of Public Education :—From Item 2½, for the pay of seventeen teachers for three months, etc., the sum of two thousand one hundred and ten (2,110) dollars and seventy-five (75) cents; from Item 14, for removal of ashes, the sum of four hundred and fifty-one (451) dollars; from Item 30, for portorage of books, the sum of one hundred and five (105) dollars; total two thousand six hundred and sixty-six (2,666) dollars and seventy-five (75) cents; to Item 11, for general repairs and alterations, the sum of one thousand three hundred and sixty-six (1,366) dollars and seventy-five (75) cents; to Item 29, for carriage hire, the sum of six hundred (600) dollars; to Item 34, for salaries, Architect and Supervisors (incidentals and extra help) the sum of seven hundred (700) dollars.

Commissioners for the erection of the Public Buildings :—From Item 3, for bricks and brick work, one thousand two hundred (1,200) dollars; to item 1, for salaries and wages (bricklayers).

Approved the tenth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To approve the contract and surety of H. C. Eyre for the construction of connections with the Intercepting Sewer, Manayunk, on Mechanic, Fleming, Cresson and Liebert streets; the contract and surety of David McMahon for the construction of connections to the Intercepting Sewer on Lincoln avenue, from Wissahickon avenue to Carpenter street; the contract and surety of David McMahon for the construction of a main sewer along the line of Dobson's run on Juniata street, from Stokley street to the stream near Bristol street; the contract and surety of Richard P. Bennis for the construction of a main sewer on Frankford street, from Frankford creek to Melrose street; the contract and surety of Robert Higgins for the construction of a main sewer on the line of Wingohocking creek, from the end of the present sewer on Courtland street, from Old York road easterly; the supplemental contract and surety of John

Kerrigan for the construction of a main sewer on Upsal street, between the stream near Musgrove street and Ross street, and on Ross street between Upsal street and Sharpnack street; the contract and surety of B. E. Malone for the construction of a main sewer along Merion creek, branch of Mill creek, from the present terminus at Hunter's dam on Merion road, on Lancaster avenue and Montgomery avenue; the contract and surety of R. A. Malone for the construction of a bridge on the line of Forty-ninth street, over the West Chester and Philadelphia railroad, in the Twenty-seventh Ward; the contract and surety of McHale and O'Connor for the construction of a bridge on the line of Wyoming avenue over Frankford creek and Fisher's lane, in the Twenty-second and Thirty-fifth Wards; the contract and surety of the Phoenix Bridge Company, for the construction of a bridge on the line of Torresdale avenue over Pennypack creek, in the Thirty-fifth Ward; the contract and surety of Filbert, Porter & Co., for the construction of a bridge over the Schuylkill river at the Falls of Schuylkill, in the Twenty-fourth and Twenty-eighth Wards; the supplemental contract and surety of Charles J. Kennedy, for the construction of a storm-water conduit through G. J. Littlewood's property in Manayunk; the contract and surety of Johnston and Byrens, for the erection of a public school-house at the northeast corner of Musgrove and Horter streets, in the Twenty-second Ward; the contract and surety of George L. Harvey, for the erection of a school edifice at the southwest corner of Thirtieth and Norris streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of H. C. Eyre for the construction of connections with the Intercepting Sewer, Manayunk, on Mechanic, Fleming, Cresson and Leibert streets, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said H. C. Eyre, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer, 3 feet in diameter, with 8 inch terra cotta pipe

or 10 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of seven (7) dollars and fifty-three (53) cents. For sewer,  $2\frac{6}{12}$  feet in diameter, with 8 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of six (6) dollars. For sewer,  $2\frac{3}{12}$  feet in diameter, with 8 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of six (6) dollars. For sewer, 2 feet circular, with 8 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of six (6) dollars. For sewer, 2 feet circular, with 8 inch cast iron pipe, per linear foot, including all appurtenances, the sum of six (6) dollars and eighty (80) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For 15 inch or 12 inch terra cotta pipe, with 8 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of five (5) dollars and forty (40) cents. For 10 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of four (4) dollars and thirty-three (33) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two dollars and seventy-five cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twenty-four thousand (24,000) dollars.

That the contract of David McMahon for the construction of connections to the Intercepting Sewer on Lincoln avenue from Wissahickon avenue to Carpenter street be and the same is hereby approved, and that the Equitable Trust Company of Philadelphia be and it is hereby approved as surety of the said David McMahon for the faithful performance of the said contract; *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects

according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer 7 feet 6 inches with 2 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of eighteen (18) dollars and twenty-five (25) cents. For sewer 6 feet 6 inches with 2 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and ninety-nine (99) cents. For sewer 5 feet 3 inches with 2 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of twelve (12) dollars. For sewer 2 feet 6 inches in diameter, without stormwater conduit, (station 753 + 75 northward) per linear foot, including all appurtenances, the sum of four (4) dollars and seventy-five (75) cents. For sewer 2 feet 6 inches in diameter (station 727 to station 753 + 75), per linear foot, including all appurtenances, the sum of five (5) dollars and seventy-five (75) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of ninety-six thousand (96,000) dollars.

That the contract of David McMahan for the construction of a main sewer along the line of Dobson's run on Juniata street, from Stokley street to the stream near Bristol street be, and the same is hereby approved, and that The Equitable Trust Company be, and it is hereby approved as surety of the said David McMahan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a



clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices :

For sewer  $8\frac{3}{4}$  feet in diameter with 12 inch terra cotta pipe, per linear foot, including all appurtenances, the sum of sixteen (16) dollars and eighty-five (85) cents. For sewer  $7\frac{3}{4}$  feet in diameter, per linear foot, including all appurtenances, the sum of sixteen (16) dollars and eighty five (85) cents. For junction chambers complete, including all appurtenances, the sum of six hundred and fifty (650) dollars. For each No 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut granite curb 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of thirty-one thousand (31,000) dollars.

That the contract of Richard P. Bennis for the construction of a main sewer on Frankford street, from Frankford creek to Melrose street, be, and the same is hereby approved, and that The Equitable Trust Company be, and it is hereby approved as surety of the said Richard P. Bennis, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer 4 feet in diameter, per linear foot, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For sewer 3 9-12 feet in diameter, per linear foot, including

all appurtenances, the sum of five (5) dollars and fifty (50) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut, granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of six thousand (6,000) dollars.

That the contract of Robert Higgins, for the construction of a main sewer on the line of Wingohocking creek, from the end of the present sewer on Courtland street, from Old York road easterly, be and the same is hereby approved, and that The West Philadelphia Title and Trust Company be and it is hereby approved as surety of the said Robert Higgins for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer, 14 feet in diameter, per linear foot, including all appurtenances, the sum of twenty-one (21) dollars and ninety (90) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting

curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra-cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twenty-eight (28,000) thousand dollars.

That the supplemental contract of John Kerrigan, for the construction of a main sewer on Upsal street, between the stream near Musgrove street and Ross street, and on Ross street between Upsal street and Sharpnack street, be and the same is hereby approved, and that The Equitable Trust Company be and it is hereby approved as surety of the said John Kerrigan for the faithful performance of the said supplemental contract.

That the contract of B. E. Malone for the construction of a main sewer along Merion Creek, branch of Mill Creek, from the present terminus at Hunter's dam on Merion road, on Lancaster avenue and Montgomery avenue, be and the same is hereby approved, and that the Equitable Trust Company be and it is hereby approved as surety of the said B. E. Malone for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer, 8 6-12 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of fourteen (14) dollars and sixty (60) cents. For sewer, 8 6-12 feet in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of eighteen (18) dollars and thirty-two (32) cents. For sewer, 8 3-12 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of sixteen (16) dollars and eighty (80) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars.

For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of thirty-three thousand (33,000) dollars.

That the contract of R. A. Malone for the construction of a bridge on the line of Forty-ninth street, over the West Chester and Philadelphia Railroad, in the Twenty-seventh Ward, be and the same is hereby approved, and that the Equitable Trust Company be and it is hereby approved as surety of the said R. A. Malone for the faithful performance of the said contract.

That the contract of McHale & O'Connor for the construction of a bridge on the line of Wyoming avenue over Frankford creek and Fisher's lane, in the Twenty-second and Thirty-fifth Wards, be and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia, be and it is hereby approved as surety of the said McHale & O'Connor for the faithful performance of the said contract.

That the contract of The Phoenix Bridge Company for the construction of a bridge on the line of Torresdale avenue over Pennypack creek, in the Thirty-fifth Ward, be and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia, be and it is hereby approved as surety of the said The Phoenix Bridge Company for the faithful performance of the said contract.

That the contract of Filbert, Porter and Company for the construction of a bridge over the Schuylkill river at the Falls of Schuylkill, in the Twenty-fourth and Twenty-eighth Wards, be and the same is hereby approved, and that The Chestnut Street Trust and Saving Fund Company be, and it is hereby

approved as surety of the said Filbert, Porter and Company for the faithful performance of the said contract.

That the supplemental contract of Charles J. Kennedy for the construction of a Stormwater Conduit through G. J. Littlewood's property in Manayunk be and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company be and it is hereby approved as surety of the said Charles J. Kennedy for the faithful performance of the said supplemental contract.

That the contract of Johnston & Byrens for the erection of a Public School house at the northeast corner of Musgrove and Horter streets, in the Twenty-second Ward, be and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia be and it is hereby approved as surety of the said Johnston & Byrens for the faithful performance of the said contract.

That the contract of George L. Harvey for the erection of a School Edifice at the southwest corner of Thirtieth and Norris streets be, and the same is hereby approved, and that The Tradesmens Trust and Saving Fund Company be and it is hereby approved as surety of the said George L. Harvey for the faithful performance of the said contract.

Approved the fifteenth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To approve the contract and surety of Ryan & Kelley for the construction of a main sewer entitled Twenty-fourth street and Pennsylvania avenue System (Contract No. 1), on the line of Powelton avenue, Twenty-fourth street and Pennsylvania avenue from the Schuylkill river to Station 19+88; the contract and surety of C. P. Grim & Company for the construction of a main sewer entitled Callowhill street System (Contract No. 1), on Wood street, Twenty-fourth street, Powelton avenue and on Callowhill street from the Schuylkill river to Station 19, with appurtenant sewers on Twenty-second street, Hamilton street and Pennsylvania

avenue; the contract and surety of James A. Mundy & Brother for the construction of a main sewer entitled Twenty-fourth street and Pennsylvania avenue System (Contract No. 2), on the line of Pennsylvania avenue from Station 19+88 to Thirtieth street; the contract and surety of George W. Ruch for the construction of a main sewer entitled Callowhill street System (Contract No. 2) on Callowhill street from Station 19 to Station 38, with appurtenant sewers on Seventeenth street, Eighteenth street, Nineteenth street and on Twentieth street; the contract and surety of John McCann for the construction of a main sewer entitled Callowhill street System (Contract No. 3), on Callowhill street from Station 38 to Thirteenth street and on Thirteenth street from Carlton street to Buttonwood street, with appurtenant sewers on Callowhill street, Fifteenth street and Sixteenth street; the contract and surety of John McCann for the construction of a main sewer entitled Twelfth street System, on Twelfth street, Buttonwood street and on Thirteenth street from Whitehall street to Carlton street; the contract and surety of John McCann for the construction of a main sewer on Allegheny avenue from the Delaware river westward, in the Twenty-fifth Ward; the contract and surety of Donnelly & Scattergood for the construction of a main sewer on the line of Venango street from the Aramingo canal to Frankford avenue; the contract and surety of George W. Sullivan for the construction of an extension of the Fifty-second street main sewer between the present terminus near Fifty-second street and Lancaster avenue and Fifty-third street and Elm avenue; the contract and surety of J. Sellers Kite & Company for the construction of a main sewer on the line of Thomas run from the stream near Fifty-sixth and one-half street and Whitby avenue, on Fifty-sixth and a half street to Thomas avenue to Fifty-fifth street, thence northwardly about one hundred and fifty (150) feet: the contract and surety of J. Sellers Kite & Company for the construction of a main sewer on the line of Botanic creek, from the stream south of Elmwood avenue, on Fifty-seventh street to Elmwood avenue, to Fifty-eighth street, to Drainage street, to Fifty-ninth street, to Gray's avenue, to Sixty-second street, to Paschall avenue, to Sixty-third street, to Woodland avenue; the contract and surety of Richard P. Bennis for the construction of a main sewer on Allegheny avenue

between the Aramingo canal and Jasper street; the contract and surety of Richard P. Bennis for the construction of a main sewer on Sylvan street from Pennypack creek to Decatur street; the contract and surety of John A. Kelley for the construction of a main sewer on the line of Merion creek, branch of Mill creek, from the end of the present contract near Station 25, on Lancaster turnpike (Montgomery avenue), thence on Montgomery avenue and Monticello street to and through the culvert under the Pennsylvania railroad to the end of the present sewer; the contract and surety of K. & D. Dooley for the construction of connections with the Intercepting Sewer, in the Twenty-second Ward, on Jefferson street and Westview avenue, between Lincoln avenue and Emlen street; the contract and surety of K. & D. Dooley for the construction of connections with the Intercepting Sewer, in the Twenty-second Ward, on Upsal street and Franklin street between Lincoln avenue and the terminus of the present sewer northeast of the Philadelphia, Germantown and Chestnut Hill Railroad; the contract and surety of M. & J. B. McHugh for the construction of connections to the Intercepting Sewer, in the Twenty-second Ward, on Cresheim avenue from Germantown avenue to Crittenden street; the contract and surety of David McMahon for the construction of connections with the Intercepting Sewer, in the Twenty-second Ward, on Germantown avenue from Rex avenue northward; the contract and surety of Jones & Wallace for the construction of connections with the Intercepting Sewer, in Manayunk, on Lauriston and Vicaris streets; the contract and surety of Sparks & Evans for constructing a bridge on the line of Torresdale avenue under the Bustleton branch of the Pennsylvania Railroad, in the Thirty-fifth Ward; the contract and surety of I. H. Hathaway & Company for the construction of a bridge on the line of Sixty-third street over the Philadelphia, Wilmington and Baltimore Railroad, in the Twenty-seventh Ward; the contract and surety of the Mills Construction Company for the construction of a bridge on Wayne avenue over and on Duval street, under the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania Railroad; the contract and surety of the Mills Construction Company for the construction of a bridge on the line of Jefferson street under the Philadelphia, Germantown, and Chestnut Hill Branch of the

Pennsylvania Railroad, in the Twenty-second Ward; the contract and surety of Jacob Wenzelberger for the erection of a public school-house at Fifth and Porter streets, in the First Section; the contract and surety of Jacob Wenzelberger for the erection of a public school-house at Forty-sixth street and Woodland avenue, in the Twenty-seventh Section; the contract and surety of Jacob Wenzelberger for the erection of a public school-house at Howard and Tioga streets, in the Thirty-third Section; the contract and surety of George L. Harvey for the erection of a nurses' house at the Philadelphia Hospital for the Department of Charities and Correction; the supplemental contract and surety of C. P. Grim & Company for the construction of a main sewer on Thirty-third street between the terminus of the present sewer north of Sansom street and Market street; and the supplemental contract and surety of John Bonhage for the construction of a main sewer on the line of Dobson's run (Contract No. 2), from Station 0+82.59 at Juniata and Stokley streets, on Stokley street, to a point north of Roberts avenue, thence northwardly across private property to Lincoln avenue, to Wissahickon avenue, to Queen lane, to Morris street, to Coulter street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of Ryan and Kelley for the construction of a main sewer entitled Twenty-fourth street and Pennsylvania avenue system (Contract No. 1) on the line of Powelton avenue, Twenty-fourth street and Pennsylvania avenue from the Schuylkill river to station 19 plus 88 be and the same is hereby approved, and that the Chestnut Street Trust and Saving Fund Company be, and it is hereby approved as surety of the said Ryan and Kelley for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer U shape 8 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of forty-seven (47) dollars and seventy-eight (78) cents. For sewer 8 feet (twin sewers) in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of fifty-eight (58) dollars and fifty-



one (51) cents. For sewer  $10\frac{6}{12}$  feet in diameter, with 12 inch terra cotta pipe, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of forty-three (43) dollars. For separating chamber, including all appurtenances, and as shown on the plans, complete, the sum of twenty-five hundred (2,500) dollars. For each No. 1 brick and stone inlet, the sum of ninety six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For sewer  $9\frac{6}{12}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of forty-five (45) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall in no event exceed the sum of one hundred and two thousand (102,000) dollars.

That the contract of C. P. Grim and Company for the construction of a main sewer entitled Callowhill Street System (Contract No. 1) on Wood street, Twenty-fourth street, Powelton avenue and on Callowhill street from the Schuylkill River to Station 19, with appurtenant sewers on Twenty-second street, Hamilton street and Pennsylvania avenue, be and the same is hereby approved and that the American Surety Company of New York be, and it is hereby approved as surety of the said C. P. Grim and Company for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer  $8\frac{6}{12}$  (with 18 inch arch) feet in diameter, per linear foot, including all appurtenances and as shown on the

plans, complete, the sum of seventy-two (72) dollars and fifty (50) cents. For sewer  $8\frac{6}{12}$  (with  $13\frac{1}{2}$  inch arch) feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty-six (26) dollars and seventy-five (75) cents. For sewer 7 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty seven (27) dollars and fifteen (15) cents. For sewer  $4\frac{9}{12}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty (20) dollars. For sewer 4 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of seventeen (17) dollars and twenty-five (25) cents. For sewer 3 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty (20) dollars and fifty (50) cents. For sewer 4 feet by  $2\frac{8}{12}$  feet in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of eight (8) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting, curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty five (35) cents. The total cost of the work to be done shall not exceed the sum of ninety-four thousand (94,000) dollars

That the contract of James A. Mundy & Brother for the construction of a main sewer entitled Twenty-fourth street and Pennsylvania avenue system (Contract No. 2), on the line of Pennsylvania avenue, from station 19+88 to Thirtieth street be, and the same is hereby approved, and that the Trust

Company of North America be, and it is hereby approved as surety of the said James A. Mundy & Brother for the faithful performance of the said contract: *Provided* That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer 9 6-12 feet in diameter, per linear foot, including all appurtenances, and as shown on the plans complete, the sum of forty-nine (49) dollars and thirty-three (33) cents. For sewer 8 6-12 feet in diameter, per linear foot, including all appurtenances, and as shown on the plans complete, the sum of thirty-five (35) dollars and ninety-nine (99) cents. For sewer 7 6-12 feet in diameter, per linear foot, including all appurtenances, and as shown on the plans complete, the sum of twenty (20) dollars and thirty-eight (38) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, twenty-four inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, six inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, twelve inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, fifteen inches in diameter, not in concrete, per linear foot, the sum of (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of one hundred and thirty-eight thousand (138,000) dollars.

That the contract of George W. Ruch for the construction of a main sewer, entitled Callowhill street system (contract No. 2), on Callowhill street, from Station 19 to Station 38, with appurtenant sewers on Seventeenth street, Eighteenth street, Nineteenth street, and on Twentieth street, be and the same is hereby approved, and that the Equitable Trust Com-

pany be and it is hereby approved as surety of the said George W. Ruch for the faithful performance of the said contract: *Provided*, that the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer, 7 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty-nine (29) dollars and sixty-five (65) cents. For sewer,  $6\frac{1}{2}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty-nine (29) dollars and fifty-four (54) cents. For sewer,  $5\frac{3}{4}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twenty-six (26) dollars and twenty-nine (29) cents. For sewer, 3 (with 12-inch terra cotta pipe) feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of sixteen (16) dollars and twenty-seven (27) cents. For sewer,  $2\frac{3}{4}$  (with 12-inch terra cotta pipe) feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of sixteen (16) dollars and twenty-seven (27) cents. For sewer,  $3\frac{1}{4}$  feet by  $2\frac{1}{6}$  feet, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of nine (9) dollars and seventy-seven (77) cents. For sewer,  $2\frac{1}{2}$  feet by  $1\frac{2}{3}$  feet (with 12-inch terra cotta pipe), per linear foot, including all appurtenances and as shown on the plans, complete, the sum of ten (10) dollars and thirty-five (35) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For

additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of seventy-five thousand (75,000) dollars.

That the contract of John McCann for the construction of a main sewer entitled Callowhill street system (Contract No. 3) on Callowhill street from Station 38 to Thirteenth street, and on Thirteenth street, from Carlton street to Buttonwood street with appurtenant sewers on Callowhill street, Fifteenth street and Sixteenth street be, and the same is hereby approved, and that the Citizens Trust and Surety Company be and it is hereby approved as surety of the said John McCann for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said contract shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer  $5\frac{9}{12}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans complete, the sum of twenty-seven (27) dollars and ninety (90) cents. For sewer  $4\frac{6}{12}$  feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of twelve (12) dollars and eighty-four (84) cents. For sewer 4 feet by  $2\frac{8}{12}$  feet (with 12-inch terra cotta pipe) per linear foot, including all appurtenances and as shown on the plans, complete, the sum of ten (10) dollars and fifty (50) cents. For sewer  $2\frac{9}{12}$  feet in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of eleven (11) dollars. For sewer  $2\frac{6}{12}$  feet in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of seven (7) dollars and seventy-five (75) cents. For sewer  $2\frac{6}{12}$  feet by  $1\frac{8}{12}$  feet, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of five (5) dollars and seventy-five (75) cents. For sewer 12-inch terra cotta pipe, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of two (2) dollars and forty (40) cents. For sewer  $4\frac{3}{12}$  feet in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of eleven (11) dollars. For sewer 4 feet in diameter, per linear foot, including all appurtenances, and as shown on the plans, complete, the sum of eleven (11) dollars and seventy (70) cents. For

junction chamber, including all appurtenances, and as shown on the plans, complete, the sum of fifteen hundred (1500) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of forty-seven thousand (47,000) dollars.

That the contract of John McCann for the construction of a main sewer entitled Twelfth street system, on Twelfth street, Buttonwood street and on Thirteenth street, from Whitehall street to Carlton street, be, and the same is hereby approved, and that the Citizens Trust and Surety Company be, and it is hereby approved as the surety of the said John McCann for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For sewer 6 feet in diameter, per linear foot, including all appurtenances and as shown on the plans, complete, the sum of sixteen (16) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars

and (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twenty-five thousand (25,000) dollars.

That the contract of John McCann for the construction of a main sewer on Allegheny avenue, from the Delaware river westward, in the Twenty-fifth Ward, be, and the same is hereby approved and that The Citizens Trust and Surety Company be, and it is hereby approved as surety of the said John McCann for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For twin sewers  $7\frac{9}{12}$  feet in diameter, per linear foot, including all appurtenances, the sum of thirty-one (31) dollars. For sewer  $9\frac{3}{12}$  feet in diameter, per linear foot, including all appurtenances, the sum of twenty-seven (27) dollars. For separating chamber, complete, including all appurtenances, the sum of eighteen hundred (1800) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches

in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of eighty thousand (80,000) dollars.

That the contract of Donnelly and Scattergood for the construction of a main sewer on the line of Venango street from the Aramingo canal to Frankford avenue, be and the same is hereby approved, and that the Equitable Trust Company be and it is hereby approved as surety of the said Donnelly and Scattergood for the faithful performance of the said contract : *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For circular brick sewer 4 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of seven (7) dollars and fifty (50) cents. For circular brick sewer 4 feet in diameter, per linear foot, including all appurtenances, the sum of seven (7) dollars. For circular brick sewer 3 feet 3 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of five (5) dollars and fifty (50) cents. For circular brick sewer 3 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of three (3) dollars and seventy-five (75) cents. For each No. 1 brick and stone inlet the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work



to be done shall not exceed the sum of fifteen thousand (15,000) dollars.

That the contract of George W. Sullivan for the construction of an extension of the Fifty-second street main sewer between the present terminus near Fifty-second street and Lancaster avenue and Fifty-third street and Elm avenue, be and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia be and it is hereby approved as surety of the said George W. Sullivan for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer  $8\frac{3}{12}$  feet in diameter, per linear foot, including all appurtenances, the sum of eleven (11) dollars and sixty-four (64) cents. For sewer  $8\frac{3}{12}$  feet in diameter, partial section, per linear foot, including all appurtenances, the sum of eleven (11) dollars and sixty-four (64) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of thirteen thousand five hundred (13,500) dollars.

That the contract of J. Sellers Kite & Company, for the construction of a main sewer on the line of Thomas Run, from the stream near Fifty-sixth-and-one-half street and Whitby

avenue, on Fifty-sixth-and-one-half street to Thomas avenue, to Fifty-fifth street; thence northwardly about one hundred and fifty (150) feet be, and the same is hereby approved, and that The City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety of the said J. Sellers Kite & Company, for the faithful performance of the said contract: *Provided*. That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For circular brick sewer 9 feet 6 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and seventy-nine (79) cents. For circular brick sewer 9 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and seventy-nine (79) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of sixteen thousand (16,000) dollars.

That the contract of J. Sellers Kite & Company, for the construction of a main sewer on the line of Botanic creek, from the stream south of Elmwood avenue, on Fifty-seventh street to Elmwood avenue, to Fifty-eighth street, to Drainage street, to Fifty-ninth street, to Gray's avenue, to Sixty-second street, to Paschall avenue, to Sixty-third street, to Woodland

avenue be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety of the said J. Sellers Kite & Company, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For circular brick sewer 6 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of seven (7) dollars and thirty-eight (38) cents. For circular brick sewer 5 feet 6 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of seven (7) dollars and seventy-two (72) cents. For circular brick sewer 4 feet 6 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of seven (7) dollars and thirty-four (34) cents. For circular brick sewer 4 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety-nine (99) cents. For circular brick sewer 4 feet 9 inches in diameter, per linear foot, including all appurtenances, the sum of ten (10) dollars and sixty-six (66) cents. For circular brick sewer 3 feet in diameter, stone block bottom, per linear foot, including all appurtenances, the sum of four (4) dollars and ninety-eight (98) cents. For brick sewer 3 feet 6 inches by 2 feet 4 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of three (3) dollars and thirty-three (33) cents. For junction chamber complete, the sum of nine hundred and eighty (980) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents.

For additional terra cotta pipe 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of forty-three thousand (43,000) dollars.

That the contract of Richard P. Bennis for the construction of a main sewer on Allegheny avenue between the Aramingo canal and Jasper street, be and the same is hereby approved, and that the Equitable Trust Company be and it is hereby approved as surety of the said Richard P. Bennis for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For circular brick sewer 8 feet 9 inches in diameter, per linear foot, including all appurtenances, the sum of nineteen (19) dollars and fifty (50) cents. For circular brick sewer 7 feet 6 inches in diameter, including all appurtenances, the sum of sixteen (16) dollars. For circular brick sewer 6 feet 6 inches in diameter, per linear foot, including all appurtenances, the sum of thirteen (13) dollars. For circular brick sewer 6 feet 3 inches in diameter, per linear foot, including all appurtenances, the sum of thirteen (13) dollars. For junction chamber complete, including all appurtenances, the sum of eight hundred and fifty (850) dollars. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one dollar (1) and ten (10)

cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of forty-seven (47,000) thousand dollars.

That the contract of Richard P. Bennis, for the construction of a main sewer on Sylvan street, from Pennypack creek to Decatur street, be and the same is hereby approved, and that The Equitable Trust Company be and it is hereby approved as surety of the said Richard P. Bennis for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For circular brick sewer, 4 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of six (6) dollars and ninety (90) cents. For circular brick sewer, 3 feet 3 inches in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of five (5) dollars and forty (40) cents. For circular brick sewer, 3 feet 3 inches in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of five (5) dollars and forty (40) cents. For circular brick sewer, 3 feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of five (5) dollars and forty (40) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra-cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra-cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra-cotta pipe, 15

inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of ten thousand (10,000) dollars.

That the contract of John A. Kelley for the construction of a main sewer on the line of Merion creek, branch of Mill creek, from the end of the present contract near Station 25, on Lancaster turnpike (Montgomery avenue), thence on Montgomery avenue and Monticello street, to and through the culvert under the Pennsylvania railroad to the end of the present sewer, be and the same is hereby approved, and that The Chestnut Street Trust and Saving Fund Company be, and it is hereby approved as surety of the said John A. Kelley, for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor, for the following sums or prices, viz:

For sewer, 9 feet in diameter, segmental section through culvert, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and ninety-five (95) cents. For circular brick sewer, 9 feet in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and ninety-five (95) cents. For circular brick sewer, 8 feet 6 inches in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of thirteen (13) dollars and ninety-five (95) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional

terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five cents. The total cost of the work to be done shall not exceed the sum of thirty-seven thousand (37,000) dollars.

That the contract of K. & D. Dooley for the construction of connections with the Intercepting Sewer, in the Twenty-second Ward, on Jefferson street and Westview avenue, between Lincoln avenue and Emlen street, be, and the same is hereby approved, and that the West Philadelphia Title and Trust Company be, and it is hereby approved as surety of the said K. & D. Dooley for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications, and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For brick sewer four (4) feet in diameter, with vitrified shale brick invert and with 12-inch terra cotta pipe, per linear foot, including all appurtenances, the sum of seven (7) dollars and ninety-five (95) cents. For each No. 1 brick and stone inlet the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of six thousand two hundred (6 200) dollars.

That the contract of K. & D. Dooley for the construction of connections with the Intercepting Sewer, in the Twenty-second Ward, on Upsal street and Franklin street, between Lincoln avenue and the terminus of the present sewer north-

east of the Philadelphia, Germantown and Chestnut Hill Railroad, be, and the same is hereby approved, and that the West Philadelphia Title and Trust Company be, and it is hereby approved as surety of the said K. and D. Dooley for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications, and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz:

For circular brick sewer, four and three-twelfths ( $4\frac{3}{12}$ ) feet in diameter, with vitrified shale brick invert, and with 12-inch terra cotta pipe, per linear foot, including all appurtenances, the sum of eight (8) dollars and forty-four (44) cents. For each No. 1 brick and stone inlet the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe fifteen inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twelve thousand five hundred (12,500) dollars.

That the contract of M. and J. B. McHugh for the construction of connections to the Intercepting Sewer, in the Twenty-second Ward, on Cresheim avenue from Germantown avenue to Crittenden street, be and the same is hereby approved, and that the Citizens' Trust and Surety Company be and it is hereby approved as surety of the said M. and J. B. McHugh for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the



plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For brick sewer  $2\frac{6}{12}$  by  $1\frac{8}{12}$  feet in diameter, per linear foot, including all appurtenances, the sum of four (4) dollars and forty-seven (47) cents. For brick sewer  $2\frac{3}{12}$  by  $1\frac{6}{12}$  feet in diameter, with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of four (4) dollars and fifteen (15) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of twelve thousand five hundred (12,500) dollars.

That the contract of David McMahon for the construction of connections with the Intercepting Sewer in the Twenty-second Ward, on Germantown avenue, from Rex avenue northward be, and the same is hereby approved, and that the Equitable Trust Company be, and is hereby approved as surety of the said David McMahon for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For sewer ten (10) inch terra cotta pipe, per linear foot, including all appurtenances, the sum of two (2) dollars and forty-eight (48) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and

stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of seven hundred and fifty (750) dollars.

That the contract of Jones & Wallace for the construction of connections with the Intercepting Sewer in Manayunk, on Lauriston and Vicaris streets, be and the same is hereby approved, and that the Citizens Trust and Surety Company be and it is hereby approved as surety of the said Jones & Wallace for the faithful performance of the said contract: *Provided*, that the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz :

For circular brick sewer, two and six-twelfths ( $2\frac{6}{12}$ ) feet in diameter, with stone block bottom, per linear foot, including all appurtenances, the sum of eight (8) dollars and twenty-two (22) cents. For fifteen (15) inch terra cotta pipe, with eight (8) inch terra cotta pipe, per linear foot, including all appurtenances, the sum of seven (7) dollars and sixty-seven (67) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and

fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of eight thousand (8,000) dollars.

That the contract and surety of Sparks & Evans for constructing a bridge on the line of Torresdale avenue, under the Bustleton Branch of the Pennsylvania Railroad, in the Thirty-fifth Ward, be and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company, of Philadelphia, be and it is hereby approved as surety of the said Sparks & Evans for the faithful performance of the said contract.

That the contract of I. H. Hathaway & Company for the construction of a bridge on the line of Sixty-third street over the Philadelphia, Wilmington and Baltimore Railroad, in the Twenty-seventh Ward be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said I. H. Hathaway & Company for the faithful performance of the said contract.

That the contract of the Mills Construction Company for the construction of a bridge on Wayne avenue, over and on Duval street, under the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania Railroad be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety of the said Mills Construction Company for the faithful performance of the said contract.

That the contract of the Mills Construction Company for the construction of a bridge on the line of Jefferson street under the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania Railroad, in the Twenty-second Ward be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said Mills Construction Company for the faithful performance of the said contract.

That the contract of Jacob Wenzelberger for the erection of a public school-house at Fifth and Porter streets, in the

First Section be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said Jacob Wenzelberger for the faithful performance of the said contract.

That the contract of Jacob Wenzelberger for the erection of a public school-house at Forty-sixth and Woodland avenue, in the Twenty-seventh Section be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said Jacob Wenzelberger for the faithful performance of the said contract.

That the contract of Jacob Wenzelberger for the erection of a public school-house at Howard and Tioga streets, in the Thirty-third Section be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said Jacob Wenzelberger for the faithful performance of the said contract.

That the contract of George L. Harvey for the erection of nurses' house at the Philadelphia Hospital, for the Department of Charities and Correction be, and the same is hereby approved, and that the Tradesmens' Trust and Saving Fund Company be, and it is hereby approved as surety of the said George L. Harvey for the faithful performance of the said contract.

That the supplemental contract of C. P. Grim & Company for the construction of a main sewer on Thirty-third street, between the terminus of the present sewer north of Sansom street and Market street be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said C. P. Grim & Company for the faithful performance of the said supplemental contract.

And that the supplemental contract of John Bonhage for the construction of a main sewer on the line of Dobson's run, Contract No. 2, from Station O+82.59 at Juniata and Stokley streets, on Stokley street to a point north of Roberts avenue; thence northwardly across private property to Lincoln avenue, to Wissahickon avenue, to Queen lane, to Morris street, to Coulter street be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said John Bonhage for the faithful performance of the said supplemental contract.

Approved the sixteenth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To grant permission to the East Aramingo Avenue Passenger Railway Company to lay tracks on Aramingo avenue, from the intersection of Somerset street and Aramingo avenue to the northeasterly side of Church street, to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support said wires.

SECTION. 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the East Aramingo Avenue Passenger Railway Company to lay double tracks, as follows: Beginning at the intersection of Somerset street and Aramingo avenue: thence along Aramingo avenue to the northeasterly side of Church street, with the right to make such curves, loops, sidings, and turnouts as may be necessary and advisable for the purpose of running up and down the said Aramingo avenue and making a circuit.

SECT. 2. That permission be, and the same is hereby granted to the said East Aramingo Avenue Passenger Railway Company to use electric motors as the propelling power of its cars on its tracks as the same are authorized to be laid in Section 1 of this ordinance. Said motors to be supplied from overhead wires, supported by iron poles not less than twenty feet high, which the said company is authorized to erect and maintain, and to be placed opposite each other, within the curb lines, and connected with street wires; or, at the option of the company, to be erected in the middle of the streets, with a double bracket thereon suspending the overhead construction. That the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named. The same to be of the kind, style, and system as that now constructed by the Catharine and Bainbridge Street Railway Company; and all feed-wires shall be buried.

SECT. 3. Before any permit shall be issued by the Departments of the City to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement with the Mayor of the City (who is hereby authorized to execute

the same on behalf of the City), which agreement shall be in form approved by the City Solicitor, and shall, among other things, provide that the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized, or unimproved, all streets, avenues, or roads traversed by its lines of railway or by its trolley system, as in this ordinance provided; that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed relating to the government, control, or regulation of railways or railroads of any kind within the City of Philadelphia; that in the construction and equipment of its roadbed, cars, or its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way, at all times, to the approval and inspection of the Departments of Public Works and Public Safety; that the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils; the wires necessary for supplying the motors on cars crossing bridges on the lines authorized shall be erected according to plans to be submitted to and approved by the Directors of Public Works and Public Safety; that the said railway company shall run cars over its entire line, at intervals not exceeding five minutes, between the hours of 6 and 9 A. M. and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line shall not exceed the present rate per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten cents; that work upon the said railway and trolley system shall be begun within six months from the opening of said Aramingo avenue, and in operation over the entire route herein named within one year thereafter, and that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor, in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and agreement herein authorized, which bond is forfeited to the City, and the money shall be paid into the City Treasury, if the said railway company shall default in its agreement.

SECT. 4. That the said company shall, under the supervision of the Department of Public Works, repave, when necessary, in good, substantial, and workmanlike manner, with Belgian blocks, or other improved pavement, as directed by ordinance of Councils or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it not paved with such improved pavement, and also all other streets heretofore paved with an improved pavement, the paving of which is not satisfactory to the said Department; said repaving to be done from curb to curb, for such length of street as shall be occupied by poles and trolley wires, or by other electric motive-power system. Such repaving shall be commenced, if necessary, upon each of the said streets as soon as the construction of the roadbed, or of the poles or trolley wires, or other electric motive-power system, shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence, as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Director of the Department of Public Works may enter upon the streets and complete the same, at the expense and cost of the said railway, trolley, or other electric motive-power company constructed therein, and that said company shall at all times hereafter keep the said paving of said streets in good repair when directed to do so by the Department of Public Works, so long as the said trolley or other electric motive-power system shall be maintained on such streets: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving, and repairing the streets occupied by it that may be required by any ordinance of Councils which has been passed, or which may hereafter be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly: *Provided, however*, That no portions of said street set apart from the main thoroughfare as a carriage or driveway shall be used by said company, nor shall it have any control over the same, nor be required to maintain or pave the same, and that fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the seventeenth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize The Kensington Hygeia Ice Company to construct a siding on their own property on Huntingdon street, in the Thirty-first Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and the same is hereby given to The Kensington Hygeia Ice Company to construct a siding on their own property on Huntingdon street, to connect their works with the Philadelphia and Trenton Railroad, in the Thirty-first Ward. The said Company shall first pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-second day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the purchase of a lot of ground situate at the southeast corner Twenty-seventh and Wharton streets and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and he is hereby authorized and directed to examine the title to all that certain lot or piece of ground situate on the southeast corner of Twenty-seventh and Wharton streets, in the Thirty-sixth Ward, containing in front or breadth on the said Wharton street two hundred feet, and extending of that width in length or depth southward, between parallel lines at right angles to the said Wharton street, and along the east side of the said Twenty-seventh street one hundred and eighteen feet to Sears street, bounded eastward partly by ground of



Alfred G. Clay, partly by ground of William J. Jenkins and partly by the head of a three-foot-wide alley, southward by the said Sears street, westward by the said Twenty-seventh street, and northward by Wharton street aforesaid, and if he approves of the same to cause a conveyance of the said lot of ground to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of sixteen thousand (16,000) dollars.

SECT. 2. That the sum of sixteen thousand (16,000) dollars be, and the same is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8th, 1894, to pay for the lot of ground above described, and warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the twenty-second day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the erection and maintenance of electric lights on the east and west sides of Broad street south of South Penn square.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Safety be, and is hereby authorized and directed to place electric lights on the east and west sides of Broad street south of South Penn square to Christian street, the cost of the same to be paid for out of Item 17 of the appropriation to the Department of Public Safety, Electrical Bureau, for the year 1894.

Approved the twenty-third day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize transfers from certain items in the annual appropriations to the Departments of Public Works, Public Safety, Charities and Correction, and City Commissioners and Inspectors of County Prison for the year 1894, and from Item 31, Department of Public Safety (Bureau of City Property) for the year 1893, and from Item 19, Department of Charities and Correction (Bureau of Charities) for the year 1893. To certain items in the annual appropriations to the Departments of Public Works, Public Safety, Law and Education, Mayor, Clerks of Councils, and City Commissioners for the year 1894, and to make an appropriation to certain items in the annual appropriation to the Coroner for the said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is hereby authorized to make the following transfers, viz :

*Department of Public Works.*

Bureau of Street Cleaning, from Item 4 for cleaning streets, etc., four thousand (4,000) dollars. Bureau of Water, from Item 10½ for extensions, etc., two hundred and twenty-five thousand (225,000) dollars. In the annual appropriation to the Department of Public Works for the year 1894.

*Department of Charities and Correction.*

Bureau of Charities, from Item 10 for flour, etc., one thousand five hundred (1,500) dollars. From Item 12 for groceries, etc., one thousand five hundred (1,500) dollars. From Item 13 for vegetables, one thousand (1,000) dollars. Bureau of Correction, from Item 2 for wheat, rye and corn flour, one thousand (1,000) dollars. In the annual appropriation to the Department of Charities and Correction for the year 1894.

*City Commissioners.*

From Item I to pay Court Officers, three hundred (300) dollars. From Item 10 to pay State Hospital for Insane, Southern District of Pennsylvania, five thousand (5,000) dollars. From Item 18 to pay for printing Assessors List, three

thousand (3,000) dollars. From Item 29 to pay State Hospital for Insane at Danville, three hundred (300) dollars. From Item 33 to taking down election booths, etc., two thousand and eight hundred (2,800) dollars. In the annual appropriation to the City Commissioners for the year 1894. From Item 26 for new County prison, thirteen thousand five hundred (13,500) dollars, in the annual appropriation to the Inspectors of the County Prison for the year 1894.

*Department of Public Safety.*

Bureau of City Property, from Item 31 for new police station house, Twentieth District, seven thousand five hundred (7,500) dollars. In the annual appropriation to the Department of Public Safety for the year 1893.

*Department of Charities and Correction.*

Bureau of Charities, from Item 19 for fuel, eight thousand five hundred and seventy-six (8,576) dollars and fifty-one (51) cents. In the annual appropriation to the Department of Charities and Correction for the year 1893. Making in all, two hundred and seventy-four thousand nine hundred and seventy-six (274,976) dollars and fifty-one (51) cents.

To the following items in the annual appropriations to the Departments of Public Works, Public Safety, Law and Education, Mayor and Clerks of Councils for the year 1894, viz :

*Department of Public Works.*

Bureau of Gas, to Item 2 for wages, etc., thirty-six thousand (36,000) dollars. To Item 7 for the purchase of gas pipes to be laid by the City on Baltimore avenue and Fifty-eighth street, seven thousand three hundred (7,300) dollars. Bureau of Highways, to Item 6 for construction of drain across Elmwood avenue, two thousand five hundred (2,500) dollars. To Item 7 for repairs to bridges, forty thousand (40,000) dollars. To Item 15 for the purpose of placing granite curbing on the west side of Thirty-third street from Montgomery avenue to Diamond street in front of Park property, two thousand five hundred (2,500) dollars. For curbing and footway work required to bring the south side of Girard avenue, from Darien to Hutchinson street to the new grade, eleven hundred (1100) dollars. For the purpose of placing granite or other curb, repairs to, renewals of, or new pavements in front of City

property in the Twenty-fourth and Thirty-fourth Wards, fifteen hundred (1500) dollars; in all five thousand one hundred (5,100) dollars. To Item 26 for repaving with improved pavements streets not occupied by passenger railways, forty-eight thousand four hundred and thirty-six (48,436) dollars and twenty-six (26) cents. Bureau of Water, to Item 2 for general supplies, forty-five thousand (45,000) dollars. To Item 4 for maintenance, etc., twenty-four thousand (24,000) dollars. To Item 5 for repairs, etc., twelve thousand five hundred (12,500) dollars. To Item 8 for purchase of material, etc., twelve thousand (12,500) dollars.

#### *Department of Public Safety.*

Electrical Bureau, to Item 17 for electric lights on Woodland, Baltimore, Haverford and Lancaster avenues, and Market street, in the Twenty-fourth, Twenty-seventh and Thirty-fourth Wards, three thousand five hundred (3,500) dollars. Bureau of City Property, to Item 37 for urinals in Norris square, seven hundred (700) dollars. To Item 15 to pay Chas. M. Simpson for erecting a new flag staff in Logan square, one hundred and seventy-five (175) dollars.

#### *Department of Law.*

To Item 2 for Prothonotary's costs, five hundred (500) dollars. To Item 4 for blank books, etc., seven hundred (700) dollars. To Item 8 for conveyancing, etc., two hundred (200) dollars.

#### *Department of Education.*

To Item 20 for books and stationery, three thousand (3,000) dollars. To Item 21 for supply of sewing materials, one thousand (1,000) dollars. To Item 37 for night schools, twenty thousand (20,000) dollars. To Item 22 for Kindergarten materials one thousand (1,000) dollars.

#### *Mayor.*

To Item 4 for stationery, etc., one thousand five hundred (1,500) dollars. To Item 5 for advertising ordinances, five thousand five hundred (5,500) dollars. To Item 8 for printing and binding the Mayor's annual Message, one thousand eight hundred and sixty-five (1,865) dollars and twenty-five (25) cents.

*Clerks of Councils.*

To Item 7 for incidentals, two thousand (2,000) dollars.

*City Commissioners.*

From Item 10, to pay State Hospital for the Insane, Southeastern District of Pennsylvania, seventeen thousand two hundred and fifty (17,250) dollars. To Item 15, to furnishing books, stationery, blanks, cards of instruction to election officers, sample tickets to voters, assessors' books for two assessments (one in May and one in December), printing and binding election tickets for each election to be used for voting, to pay overseers of election, light and fuel for booths, and miscellaneous expenses, eleven thousand two hundred and fifty (11,250) dollars. To Item 26 to pay extra help, fifteen hundred (1,500) dollars. To Item 34 to pay Incurables at Wernersville, four thousand five hundred (4,500) dollars, in the annual appropriation to the City Commissioners, for the year 1894. From Item 10, to pay State Hospital for the Insane, Southeastern District of Pennsylvania, seven thousand five hundred (7,500) dollars, in the annual appropriation to the City Commissioners, for the year 1894. To new Item 10½ for the purpose of defraying the expenses of transportation of the National Guard of Pennsylvania upon the occasion of the unveiling of the Monument to General George B. McClellan in this city on October 24, 1894, and such other necessary expenses that may arise upon said occasion, five thousand (5,000) dollars, in the annual appropriation to the Mayor, for the year 1894. To Item 28 (Bureau of Highways), for repairing with broken stone and gravel Hamilton street, from Sixty-third street to Sixty-fifth street, two thousand five hundred (2,500) dollars, in the annual appropriation to the Department of Public Works, for the year 1894.

SECT. 2. That the sum of six hundred (600) dollars be, and the same is hereby appropriated to the following items in the annual appropriation to the Coroner, for the year 1894: To Item 2 for stationery and fuel, three hundred (300) dollars. To Item 3 for incidentals, two hundred (200) dollars. To Item 4 for witness fees, jurors, and burials, one hundred (100) dollars.

Approved the twenty-third day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize Greenwood and Bault to lay a ten (10) inch pipe across and under Gillingham street, Twenty-third Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to Greenwood and Bault, dyers and finishers, to lay a ten (10) inch pipe in lieu of the four (4) inch pipe across and under Gillingham street, from the north side to the south side thereof between Jefferson street and Frankford Creek, to connect their reservoir with their place of business. The said pipe shall be laid under the direction of the Department of Public Works, Bureau of Water, and said Greenwood and Bault shall pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the purchase of a lot of ground situate on the south side of Norris street, in the Thirty-second Ward, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor is hereby authorized and directed to examine the title to all that certain lot or piece of ground in the Thirty-second Ward, situate on the south side of Norris street one hundred and sixty (160) feet west of Thirtieth street, containing in front on Norris street thirty-eight feet, and extending in length or depth southward of that width two hundred and fifty-one (251) feet seven and nine-sixteenths (7 9-16) inches to Arlington street, and if he approves of the same to cause the said lot of ground to be conveyed to the City of Philadelphia in fee for the price or sum of five thousand (5,000) dollars.

SECT. 2. That the sum of five thousand (5,000) dollars be and the same is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, to pay for the lot of ground above described; and warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the twenty-ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the purchase of a lot of ground situate southeast corner Twelfth street and Allegheny avenue, in the Thirty-seventh Ward, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be and he is hereby authorized and directed to examine the title to a certain lot of ground in the Thirty-seventh Ward, situate at the southeast corner of Twelfth street and Allegheny avenue, containing in front on the south side of Allegheny avenue two hundred and fifty-two (252) feet nine and one-half (9½) inches, and extending southwardly on the east side of Twelfth street from the southeast corner of Twelfth street and Allegheny avenue two hundred and eleven (211) feet eleven and one-eighth (11⅛) inches to Sedgley avenue, thence northwestwardly on the north side of Sedgley avenue three hundred and twenty-four (324) feet eight and three-eighths (8¾) inches to Germantown avenue; thence northwestwardly on said Germantown avenue twenty-six (26) feet eight and three-fourths (8¾) inches to Allegheny avenue, and thence westwardly to place of beginning, and if he approves of the same to cause a conveyance of the said lot of ground to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of thirty thousand (30,000) dollars.

SECT. 2. That the sum of thirty thousand (30,000) dollars is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, to pay

for the lot of ground above described; and warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the twenty-ninth day of October, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

Authorizing the Union Passenger Railway Company and its lessees to make further extensions and to use electric motors to be supplied from overhead wires and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Union Passenger Railway Company, in accordance with its charter, is hereby authorized to lay a single track on Cumberland street, from Sixteenth to Seventeenth streets, with the necessary curves, switches and connections, and it and its lessee, the Philadelphia Traction Company, are hereby authorized to use electric motors as the propelling power of the cars with the necessary standards and appliances needed to operate the same by overhead wires, subject to the conditions of the Union Passenger Railway ordinance approved March 30, 1893, and that the work shall be commenced within one year and completed within two years after the passage of this ordinance, and that fifty dollars be paid into the City Treasury by said company for printing this ordinance.

Approved the second day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To increase the limit of cost in ordinances for paving certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the limit of cost in ordi-



nances authorizing the paving of certain streets be increased as follows: Thirteenth street, from Wolf street to Moyamensing avenue, be increased from six thousand (6,000) dollars to seven thousand (7,000) dollars; Twentieth street, from Mifflin street to Passyunk avenue, from four thousand five hundred (4,500) dollars to five thousand four hundred (5,400) dollars; Thirty-first street, from Wharton to Reed street, from eleven hundred (1100) dollars to twelve hundred (1200) dollars; Venango street, from Fifth to Lawrence street, from eleven hundred (1100) dollars to thirteen hundred (1300) dollars; Frankford avenue, from Harrowgate lane to one hundred and seventy (170) feet southwest of Juniata avenue, from fifteen thousand (15,000) dollars to sixteen thousand (16,000) dollars; Aspen street, from Markoe to Forty-eighth street, from eighteen hundred (1800) dollars to twenty-two hundred (2200) dollars; Twenty-first street, from Dickinson to Tasker street, from four hundred (400) dollars to six hundred (600) dollars; Twelfth street, from Cambria street to Glenwood avenue, from seventeen hundred (1700) dollars to twenty-one hundred (2100) dollars; Pulaski avenue, from Seventeenth street to Hunting Park avenue, from sixty-four hundred (6400) dollars to sixty-seven hundred (6700) dollars; Green street, from Orchard to Paul street, from seventy-five (75) dollars to two hundred and fifty (250) dollars; McClellan street, from Eleventh to Gerhard street, from five hundred (500) dollars to one thousand (1,000) dollars; Nice street, from Barr street to Reading Railroad, from hundred (500) dollars to five hundred and fifty (550) dollars; Cedar street, from Margaret to Foulkrod street, from five hundred (500) dollars to eleven hundred (1100) dollars.

Approved the second day of November. A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To amend Item 4½ of an ordinance entitled "An Ordinance to make an appropriation to certain items in the annual appropriation to the Department of Public Safety and Clerks of Councils for the year 1893," approved April 22, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That Item 4½ of an ordinance

entitled "An Ordinance to make an appropriation to certain items in the annual appropriations to the Department of Public Safety and Clerks of Councils for the year 1893," approved April 22, 1893, be altered and amended as follows: by striking out the words "for new steam heaters for Independence Hall and the Prothonotary's Office to be erected outside of the buildings in the area way in the rear of the buildings, and for the removal of all inflammable materials from the basement of the State House row, and for equipping the entire State House row with automatic fire alarm apparatus," and inserting the following: "for a new steam heating system for Independence Hall," so as the Item when amended shall read as follows: "Item 4½ for a new steam heating system for Independence Hall."

Approved the sixth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize certain transfers in the annual appropriations to the Department of Public Safety and Department of Charities and Correction, (Bureau of Correction) for the year 1894, and to make an appropriation to Item 3 in the annual appropriation to the Mayor for said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and is hereby requested to make the following transfers, viz: from 17, for extensions, etc., six hundred (600) dollars; to Item 8, for painting telegraph poles, etc., in the annual appropriation to the Department of Public Safety (Electrical Bureau) for the year 1894; Item 1, for salaries, five hundred and fifty (550) dollars; from Item 2, for wheat, rye and corn flour, two thousand (2,000) dollars; from Item 17, for powder, etc., four hundred (400) dollars; from Item 18, for fuel, etc., one

hundred and twenty-five (125) dollars; from Item 28, for insurance, two hundred and forty-one (241) dollars; from Item 31, for boilers, etc., five hundred and thirty-four (534) dollars; in all, three thousand eight hundred and fifty (3,850) dollars; to the following items: to Item 3, for beef, mutton, etc., two thousand one hundred (2,100) dollars; to Item 4, for sugar, etc., one thousand (1,000) dollars; to Item 6, for drugs, etc., four hundred (400) dollars; to Item 20, for clothing, etc., three hundred and fifty (350) dollars; in the annual appropriation to the Department of Charities and Correction (Bureau of Correction), for said year; from Item 1, for salaries, four thousand (4,000) dollars; from Item 2, for uniforms, eleven hundred and forty-six (1,146) dollars; from Item 16, for removing dangerous walls, etc., five hundred (500) dollars (Bureau of Fire); from Item 1, for salaries, two hundred and ninety (290) dollars; from Item 4, for dredging two hundred (200) dollars; from Item 5, for auctioneers' fees, etc., two hundred and forty (240) dollars; from Item 17, for gas for military organizations, three hundred (300) dollars; from Item 21, for laying improved pavements, etc., four thousand (4,000) dollars; from Item 31, for fire station, Twenty-second Ward, three hundred and eighty (380) dollars; from Item 34, for combination fire house, etc., one hundred and thirty-eight (138) dollars (Bureau of City Property), in all, eleven thousand one hundred and ninety-four (11,194) dollars, in the annual appropriation to the Department of Public Safety for the year 1894; to the following Items in the Bureau of Health for said year: to Item 3, for the purchase of vaccine virus, one hundred (100) dollars; to Item 6, for removal of nuisances, etc., eight thousand seven hundred and ninety-four (8,794) dollars; to Item 9, for care of patients, etc., one thousand (1,000) dollars; to Item 10, for board and washing, etc., one thousand (1,000) dollars; to Item 11, for clothing, bedding, etc., three hundred (300) dollars.

SECT. 2. That the sum of five hundred (500) dollars be, and the same is hereby appropriated to Item 3, for stationery, printing, etc. (Civil Service Board), in the annual appropriation to the Mayor for the year 1894.

Approved the sixth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize satisfaction to be entered in cases of certain tax payers who appear to be delinquent.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Collector of Delinquent Taxes be authorized and directed to enter satisfaction upon the record in which a lien or judgment has been filed or entered against the properties on schedule of cases furnished by the Board of Revision of Taxes of April 12, 1894. (Appendix Common Council No. 11.)

Approved the sixth day of November, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE.

To authorize the opening of Disston Park.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That, having failed to agree with all the owners of the ground within the boundaries of Disston Park, in the Thirty-fifth Ward, as to the price thereof, they hereby appropriate said ground, bounded by Magee street, Keystone street, Princeton street and the right of way of the Philadelphia and Trenton Railroad Company, as an open public place and park for the health and enjoyment of the people; and the City Solicitor is hereby authorized and directed forthwith to notify the owners of so much of the said ground, as have not already dedicated it to public use, that at the expiration of three months from the date of said notice said ground will be required for public use.

SECT. 2. At the expiration of said three months the Mayor is hereby authorized and directed to enter security in the name of the City for the payment of any damages that may be awarded by reason of the taking of said ground, and thereupon possession of the same shall be taken for public use, and

the City Solicitor shall begin and conduct the proper proceedings in the Court of Quarter Sessions for the assessment of damages for said taking.

Approved the sixth day of November, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To locate four additional electric lights on Lehigh avenue between Germantown and Kensington avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That four additional electric lights be located as follows: On Lehigh avenue between Germantown avenue and Kensington avenue. The cost of the same to be paid out of Item 17 of the appropriation to the Department of Public Safety, Electrical Bureau, for the year 1894.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

Authorizing the Twenty-second Street and Allegheny Avenue Passenger Railway Company and its lessee to make further extensions, and to use electric motors to be supplied from overhead wires and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Twenty-second Street and Allegheny Avenue Passenger Railway Company, in accordance with its charter, is hereby authorized to lay a double track on Wayne avenue, from West Washington street to Johnson street, and a single track on Johnson street from Wayne avenue to Morton street, and on Morton street to Haines street and on Haines to Germantown avenue, on Ger-

mantown avenue to Lafayette street, on Lafayette street to Adams street, on Adams street to Rittenhouse street, and on Rittenhouse street to Wayne avenue, with the necessary curves and connections, and it and its lessee, the Philadelphia Traction Company, are hereby authorized to use electric motors as the propelling power of the cars with the necessary standards and appliances needed to operate the same by overhead wires, subject to the conditions of the Twenty-second Street and Allegheny Avenue Passenger Railway ordinance approved June 19, 1894, and that the work shall be commenced within one year and completed within two years after the passage of this ordinance, and that fifty dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To lay water pipe in Hayes, Hampton, Goodwill, Clara, Engle, Lydia, Rubicam, Twenty-seventh, Woodbine, Thomas, Forty-third and a-half, Janney, Sepviva, Pacific, Sixty-third, Amaeseka, Carlisle, Newkirk, Dover, Gransback, Westmoreland and Peach streets, Mt. Airy, Stella, Saybrook, Paschall and Lenox avenues, and to relay with larger pipe Sloan street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Department of Public Works is hereby authorized and directed to lay water pipe in Hayes street, from Sixth to Seventh; Hampton street, from Twentieth to Twenty-first; Goodwill street, from Cherry to Race; Clara street, from Wingohocking to Lena; Engle street, from Centre to Price; Lydia street, from Twenty-fourth to Twenty-sixth; Mt. Airy avenue, from Quincy to Jefferson; Rubicam street, from Collom to Wister; Twenty-seventh street, from Southampton avenue to Mermaid lane; Woodbine street, from Cedar to Wilson street; Thomas street, from Bridge to Fraley; Forty-three and a-half street, from Aspen to Brown;

Janney street, from Venango to Erie; Sepviva street, from Wheatsheaf lane to Venango street; Pacific street, from Kensington avenue to Jasper street; Stella avenue, from dead end northwest of Emerald street, to Cemetery; Sixty-third street, from Woodland to Cemetery avenue; Saybrook avenue, from Sixty-third to Sixty-fourth; Paschall avenue, from Sixty-third to Sixty-fourth; Amaeseka street, from Fiftieth to Fifty-first; Lenox avenue, from Broad to Fifteenth; Carlisle street, from Allegheny avenue to Westmoreland street; Newkirk street, from Columbia avenue to Oxford street; Dover street, from Columbia avenue to Oxford; Gransback street, from Cambria to Clearfield; Westmoreland street, from Fifth to Lawrence; Peach street, from Lansdowne to Lancaster avenue, and to relay with larger pipe Sloan street, from Baring to Spring Garden.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting the right to Messrs. Shoneman Bros. to build and erect an iron smoke stack at the extreme northwest corner of the ending of Birch place, in the Tenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to Messrs. Shoneman Bros. to erect an iron smoke stack, 66 feet in height by 20 inches in diameter, at the northwest corner of Birch place, in the Tenth Ward. The plan and construction of said stack to be subject to the approval of the Bureau of Building Inspectors: *Provided*, That the said stack shall be removed at any time on the passage of a resolution or ordinance to that effect without notice, and that the said Messrs. Shoneman Bros. shall first pay the sum of fifty (50) dollars into the City Treasury for the printing of this ordinance.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the creation by the City of Philadelphia of a loan for a sum not exceeding two million seven hundred and twenty thousand (2,720,000) dollars, for the purpose of providing for the redemption and payment of the bonds or loans of the said City maturing and falling due January 1, 1895. .

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor of the City of Philadelphia be and he is hereby authorized and directed to borrow from the highest bidder or bidders at not less than par, on the faith and credit of the City of Philadelphia, a sum or sums of money not exceeding in the aggregate the sum of two million seven hundred and twenty thousand (2,720,000) dollars for the purposes set forth in the second section of this ordinance.

SECT. 2. The proceeds or moneys raised and arising from the loan authorized by this ordinance shall be used for the purpose of the redemption and payment of the loans or bonds of the City of Philadelphia, maturing and falling due on the first day of January, A. D. 1895, and for no other purposes whatever.

SECT. 3. Interest on the loan hereby authorized, at a rate not exceeding four per centum per annum, shall be paid half yearly, on the first day of the months of January and July, at the office of the fiscal agent of the City of Philadelphia. The principal of said loan shall be divided into twenty series of one hundred and thirty-six thousand (136,000) dollars each, alphabetically arranged and each series shall be paid annually, on the thirty-first day of December, at said office until the whole loan shall be paid, commencing with series "A," which shall be paid on the thirty-first day of December, A. D. 1904. Certificates of said loan shall be in the usual form, in sums of twenty-five (25) dollars each, as the lenders may require, and it shall be expressed in said certificates that the principal therein mentioned and the interest thereof are payable in lawful money of the United States of America and free of all taxes, and each and every certificate shall be endorsed on the face thereof in printed form "*reissued loan*," and said loan may be transferred as the loans of the said City are now transferable.



SECT. 4. Whenever the loan authorized by this Ordinance shall be created there shall be thereafter annually appropriated out of the moneys raised by taxation by the City of Philadelphia, a sum sufficient to pay the interest on said loan, and after the said loan shall become due there shall be annually appropriated from the moneys arising from such taxation for the payment of the principal thereof the sum of one hundred and thirty-six thousand (136,000) dollars until the whole principal shall have been paid.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To approve the contract and surety of John Bonhage, for the construction of an extension of the Lincoln Avenue Intercepting Sewer, north of Carpenter street, to a point near Emlen and Sedgwick streets, and the contract and surety of Frederick J. Amweg, for the erection of a public school building on the southwest corner of Richmond and Ontario streets, Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of John Bonhage, for the construction of an extension of the Lincoln Avenue Intercepting Sewer, north of Carpenter street to a point near Emlen and Sedgwick street, be, and the same is hereby approved, and that the Equitable Trust Company be, and it is hereby approved as surety of the said John Bonhage for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz.:

For circular brick sewer, 4 and 9-12 feet in diameter, with brick sewer 2 feet in diameter, both with vitrified shale brick bottom, per linear foot, including all appurtenances, the sum of six (6) dollars and fifty (50) cents. For each No. 1 brick

and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars. For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, including bends, per linear foot, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of three thousand (3,000) dollars.

That the contract of Frederick J. Amweg, for the erection of a public school building on the southwest corner of Richmond and Ontario streets, Twenty-fifth Ward, be, and the same is hereby approved, and that The Tradesmens Trust and Saving Fund Company be, and it is hereby approved as surety of the said Frederick J. Amweg for the faithful performance of the said contract.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the American Baptist Publication Society to construct a tunnel under and across Sansom street, west of Broad street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the American Baptist Publication Society be and it is hereby authorized to construct a

tunnel, not exceeding six feet by six feet six inches, in the clear, under and across Sansom street, west of Broad street, in the City of Philadelphia, to connect the properties of the said the American Baptist Publication Society on each side of Sansom street, the centre line of the tunnel to be located at a distance of two hundred and sixty-five feet six inches west of the west line of Broad street, said tunnel to be built in accordance with the plans of the said the American Baptist Publication Society on file with the Department of Public Works and with the top of the arch located at the elevation above city datum shown on said plans: *Provided*, That the said tunnel shall be constructed under the supervision of the Department of Public Works, in accordance with the plans approved by the Department of Public Works; and for the purpose of constructing said tunnel the said American Baptist Publication Society is hereby given authority to enter upon the street and to tear up the same for the purposes contained in this ordinance, and when the tunnel is completed shall repave over the opening and put said street in the same order and condition in which it was found: *Provided*, That before this ordinance shall take effect there shall be paid into the City Treasury the sum of fifty dollars for the printing of same: *Provided*, Said tunnel shall be removed at any time on the passage of a resolution or an ordinance to that effect without notice.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the construction of sewers on Ann, Belrose, Bowers, Cedar, Chestnut, Church, Deacon, Dudley, Fifteenth, Fiftieth, Fifty-first, Hamilton, Liugo, Markle, Muldowny, Memphis, Ninth, Nine and three-quarters (or Sisty), Pearl, Penn, Pratt, Rodman, Rubicam, Seymour, Sharpnack, Tenth, Terrace, Twenty-fourth, Upsal, Wakefield, Walter, Westmoreland, and Winton streets: on Lehigh, Manayunk, Passyunk, Pulaski, Ridge, Sedgley, Westminster and Woodland avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public

Works, be, and is hereby authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, namely: on Ann street, from Kensington avenue to Jasper street; Belrose street, from Green street to present sewer about 176 feet south thereof; Bowers street, from Perkiomen street northeast; Cedar street, from Lehigh avenue to Huntingdon street; Chestnut street, from Church street to Leverington avenue; Church street, from Hamilton to Chestnut street; Deacon street, from Girard avenue to Stiles street; Dudley street, from Sixth to Seventh street; Fifteenth street, from Snyder avenue to Passyunk avenue; Fiftieth street, from Florence to Willows avenue; Fifty-first street, from Florence to Baltimore avenue; Hamilton street, from Centre street to Green lane; Lingo street, from Passyunk avenue to McKean street; Markle street, from Cresson to Terrace street; Mullowny street, from Twenty-first to Cooper street; Memphis street, from Lehigh avenue to Huntingdon street; Ninth street, from Dickinson to Cross street; Nine and three-quarters (or Sisty) street, from Montgomery street to angle in Sisty street; Pearl street, from Twenty-fourth to Twenty-third street and from Vine to Pearl on Twenty-fourth street; Penn street, from Germantown avenue to Wakefield street; Pratt street, from Melrose to Tacony street; Pulaski avenue, from Coulter to School street; storm-water conduit through Fairmount Park, from Schuylkill River to Park drive at Rodman street, thence along Rodman street, from Park drive to Ridge avenue, provided owners of property on the line of Rodman street shall not be assessed therefor; Rubicam street, from Collom to Wister street; Seymour street, from Pulaski avenue to Tacoma street; Sharpnack street, from Ross to summit northeast of Musgrove street; Tenth street, from Moore to McKean street; Terrace street, from Shurs lane to Markle street; Upsal street, from Nash to Morton street; Wakefield street, from Penn to Bringham street; Walter street, from Sixteenth to Seventeenth street; Westmoreland street, from Kensington avenue to Jasper street; Winton street, from Fifth to Sixth street; Lehigh avenue (south side), from Memphis street to Aramingo avenue; Manayunk avenue, from Martin street to Lyceum avenue; Passyunk avenue, from Fifteenth to Broad street; Ridge avenue, from Spencer street to School lane; Sedgley avenue, from Margie to Twenty-second street; Westminster avenue, from Forty-eighth to Forty-ninth street; Woodland avenue, from Sixty-third to Sixty-fifth street.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment in addition to that provided for by ordinance, entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street interseptions, manholes and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of forty thousand and four hundred (40,400) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the sewers authorized by this ordinance until the streets are on the City plan, legally opened and all the properties abutting thereon assessed to full City rates: *Provided, however,* That where properties are assessed at less than full City rates and the streets on the plans are opened, he may award contracts upon the receipt of a duly executed agreement binding owners to pay the regular assessment charges.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To place Camac, Harrison and Lenox streets, and West Schuylkill avenue, on the City plan.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public

Works be authorized to place on the City plan Camac street, of the width of forty feet, from Thompson to Master street; Harrison street, of the width of thirty feet, from Hancock to Mascher street; Lenox street, of the width of thirty feet, from Broad to Fifteenth street; West Schuylkill avenue, of the width of one hundred feet, from Fifty-eighth street to Penrose Ferry avenue: *Provided*, That the owners of ground within the lines of said streets shall first dedicate the same as public highways, or shall file a bond, or enter into a written agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may arise, or covenanting and agreeing to obtain releases from all such owners of all damages that may arise by reason of the placing and opening of the same, before this ordinance shall go into effect. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To revise the lines and grades of that portion of the Thirty-fourth Ward lying between Belmont avenue, Fifty-second street, Columbia (or Leidy) avenue and Merion avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of that portion of the territory in the Thirty-fourth Ward, lying between Belmont avenue on the east, Fifty-second street on the west, Columbia (or Leidy) avenue on the north, and Merion avenue on the south, so as to strike from the plans of the City the following streets between the points named: Jefferson street from Belmont avenue to a point 250 feet east of Fifty-second street, Oxford (or Heston) street from a point 250 feet east of Fifty-second street to the angle in said street west of Belmont avenue, Fifty-first street from the south side of Columbia (or Leidy) avenue to Jefferson street, Fiftieth street from the south side of Columbia avenue to the north side of Merion

avenue, Forty-ninth street from the south side of Columbia avenue to Jefferson street, Forty-eighth street from the south side of Columbia avenue to Jefferson street; and to locate and place upon the plans of the City, a certain new street 30 feet in width to be called Fifty-first-and-a-half street from Columbia avenue to Jefferson street, the west line at the distance of 220 feet eastward from the east side of Fifty-second street; also to reduce the width of Jefferson street, from Fifty-second street to the east side of Fifty-first-and-a-half street to 50 feet. Also, to place on the City plan a street, 40 feet in width, to be called Forty-four-and-a-half street, from the angle in Heston street northward to Columbia avenue parallel with Belmont avenue, and at the distance of 200 feet westward therefrom: *Provided*, That the Pennsylvania Railroad Company shall guarantee to the City of Philadelphia access at all times to the sewers constructed through their property, and shall in no wise interfere with the same: *Also. Provided*, That George W. Sherman and the Pennsylvania Railroad Company shall dedicate so much of their ground as is included within the lines of the proposed Fifty-first-and-a-half street and Forty-four-and-a-half street, and shall enter a bond satisfactory to the City Solicitor, agreeing to pay any and all damages that may arise by reason of the changes in lines and grades specified in this ordinance.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the City Controller to countersign and the City Treasurer to pay, a warrant in favor of the Northern Liberties Gas Company.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller is hereby authorized to countersign and the City Treasurer to pay, a warrant drawn against Item 4, Section 3 of the annual appropriation to the Department of Public Works for the year

1894, in favor of the Northern Liberties Gas Company, for the sum of five hundred and thirty-two (532) dollars and twenty-seven (27) cents, the amount received in error by the Board of Trustees of the Philadelphia Gas Works and the Bureau of Gas, for gas furnished premises on the northeast corner of Second and Vine streets, the attachment having been made in mistake by the employees of the Trustees of the City Gas Works to the main pipe of the Northern Liberties Gas Company, instead of to that of the City of Philadelphia.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To approve the contract and surety of James A. Mundy & Brother for the construction of a section of the Wingohocking Intercepting Sewer at Cayuga and E streets, under the Bustleton Railroad.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of James A. Mundy & Brother for the construction of a section of the Wingohocking Intercepting Sewer at Cayuga and E streets, under the Bustleton Railroad, be, and the same is hereby approved, and that the Merchants Trust Company be, and it is hereby approved as surety of the said James A. Mundy & Brother for the faithful performance of the said contract: *Provided*, That the said contract shall contain a clause that the said sewer shall be completed in all respects according to the plans, specifications and estimates of the Chief Engineer and Surveyor for the following sums or prices, viz: For brick sewer of special section, 19 and 6-12 feet in diameter, per linear foot, including all appurtenances, the sum of fifty-three (53) dollars. For circular brick sewer, 6 feet in diameter, per linear foot, including all appurtenances, the sum of nine (9) dollars and eighty-three (83) cents. For each No. 1 brick and stone inlet, the sum of ninety-six (96) dollars. For each No. 2 brick and stone inlet, the sum of eighty-seven (87) dollars.



For each No. 3 brick and stone inlet, the sum of eighty-one (81) dollars. For additional rubble masonry, in place, per cubic yard, including all appurtenances, the sum of four (4) dollars and fifty (50) cents. For additional brick masonry, in place, per cubic yard, including all appurtenances, the sum of nine (9) dollars and fifty (50) cents. For furnishing and setting curved, cut granite curb, 24 inches deep, per linear foot, the sum of two (2) dollars and seventy-five (75) cents. For additional terra cotta pipe, 6 inches in diameter, not in concrete, per linear foot, including bends, the sum of fifty (50) cents. For additional terra cotta pipe, 12 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and ten (10) cents. For additional terra cotta pipe, 15 inches in diameter, not in concrete, per linear foot, the sum of one (1) dollar and thirty-five (35) cents. The total cost of the work to be done shall not exceed the sum of ten thousand (10,000) dollars.

Approved this eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the opening of Evergreen, Fairview and Thirty-seventh avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Director of the Department of Public Works be, and is hereby authorized and directed to notify the owners of property over and through which the following streets will pass, that at the expiration of three months from the date of said notice said streets will be required for public use, viz: Evergreen avenue, from Germantown avenue to Prospect avenue: *Provided*, That the owners of property in the vicinity of said avenue first file with the City Solicitor a satisfactory agreement or bond indemnifying the City against all damages in excess of the sum of one thousand (1,000) dollars; Fairview avenue, from Thirty-fourth to Thirty-fifth street, and Thirty-seventh avenue

south, from Meadow to Otsego street: *Provided*, That the owners of property in the vicinity of said avenues first file with the City Solicitor a satisfactory agreement or bond indemnifying the City against all damages by reason of the opening of said avenues.

SECT. 2. Upon the filing of the bond or agreement provided for in the first section, the Mayor of the City is hereby authorized and directed to enter security on behalf of the City of Philadelphia, for the payment of any damages which may be assessed by reason of the opening of said streets; upon the filing of said bonds, and at the expiration of the said three months, the Director of the Department of Public Works shall forthwith proceed to open said streets.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To amend ordinance approved March 30, 1894, entitled "An Ordinance to authorize the opening of Rheinhard, Gransback, Wentz and Walnut streets."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance approved March 30, 1894, entitled "An Ordinance to authorize the opening of Rheinhard, Gransback, Wentz and Walnut streets," be altered and amended as follows: By striking out in the first section the words, "on Rheinhard street against all damages in excess of two thousand five hundred (2,500) dollars;" and by inserting in Section 2, immediately before the word "Provided," the words, "except the said Rheinhard street, as to which the Mayor shall forthwith enter security on behalf of the City for the payment of all damages by reason of the opening of the said street." Also by striking out of said ordinance all that relates to the opening of Gransback street.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the repaving of Vienna street in lieu of East Susquehanna avenue, and Ellsworth street in lieu of Wharton street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to repave Vienna street, from Willey street to Girard avenue, with granite, Pennsylvania or Lambertville blocks, in lieu of East Susquehanna avenue, from Thompson to Belgrade streets, as authorized by the ordinance approved May 11, 1894, and to repave Ellsworth street, from Twenty-third to Twenty-seventh streets, with granite, Pennsylvania or Lambertville blocks, in lieu of Wharton street, from Thirty-first to Thirty-sixth streets, as authorized by the ordinance approved April 9, 1894.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

Permitting the repaving of Spruce, Pine and South streets, from Woodland avenue to South street bridge, and Thirty-fourth and Thirty-sixth streets, from Woodland avenue to Pine street, in accordance with the ordinance approved March 11, 1891, providing for grass plots and planting of trees along the sidewalks of the streets and avenues of the City.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be permitted to have Spruce, Pine and South streets, from Woodland avenue to South street bridge, and west side of Thirty-fourth and east side of Thirty-sixth streets, from Woodland avenue to Pine street, repaved in accordance with the provisions of the ordinance approved March 11, 1891.

providing for grass plots and planting of trees along the sidewalks of the streets and avenues of the City: *Provided*, That where the streets named herein are of a less width than seventy feet the width of the cartway, grass plot and sidewalk shall be fixed by the Director of the Department of Public Works.

Approved the eighth day of November, A.D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Adeline, Clarissa, Juniata, Twentieth, Bowman, Thirty-sixth, Herman, Dauphin, and Commerce streets, and Allegheny avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the city, and construct the necessary drains, viz: Adeline street, from Fiftieth to Fifty-first street; Clarissa street, from Juniata to Bristol street; Juniata street, from Wayne to Clarissa street; Twentieth street, from Allegheny avenue to Park street; Bowman street, from Thirty-fourth to Thirty-fifth street; Thirty-sixth street, from Fisk avenue to Mill street; Herman street, from Twenty-fourth to Twenty-sixth street; Dauphin street, from Twenty-second street to Glenwood avenue; Allegheny avenue, from Sedgely avenue to Germantown avenue; Commerce street, from Cedar street to Huntingdon street, to the revised grade, in accordance with bids received April 4, 1893. The cost of said grading and drains not to exceed thirteen thousand (13,000) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks: *Provided*, That said streets shall be first dedicated or properly opened: *And, further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend the ordinance entitled "An Ordinance to appropriate for park purposes land within the boundaries of Starr Garden, in the Fifth Ward," approved June 19, A. D. 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to appropriate for park purposes land within the boundaries of Starr Garden, in the Fifth Ward," is hereby amended so as to exclude from the ground so appropriated a lot of ground on the south side of Lombard street at the distance of ninety (90) feet west of Sixth street, containing eight (8) feet in front and seventy-eight (78) feet in depth.

Approved the ninth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the laying of gas pipe on certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized and directed to lay gas pipe on the following streets, viz., Leithgow street, from Norris to Diamond streets, in the Nineteenth Ward. Twenty-fifth street, from Willow Grove avenue to Springfield street; Woodbine avenue, from Cedar to Wilson street; Engle street, from Centre to Price street; Mount Airy avenue, between Quincy and Jefferson streets; Quincy street, from Allen's Lane to Mount Airy avenue; Twenty-seventh street, from Southampton avenue to Mermaid lane; Stenton avenue, from Washington to Haines street; Seymour street, from Pulaski to Wayne street, and Rubicam from Collom to Wister street, in the Twenty-second Ward. Forty-three and a half street, between Aspen and Brown streets, and Girard avenue, north side, from Forty-second street to Leidy avenue, in the Twenty-fourth

Ward. Somerset street, from Trenton avenue to Memphis street; Ruth street, from Cambria street to Orleans street; Cemetery lane, from Emerald street to Cemetery, and Stella avenue, from Emerald street to Cemetery, in the Twenty-fifth Ward. East side of Fifteenth, between McKean street and Passyunk avenue: south side of McKean street, between Broad and Fifteenth streets, in the Twenty-sixth Ward: south side of Warrington avenue, from Forty-seventh to Forty-eighth street; Paschall avenue, from Sixty-eighth to Seventieth street; on the east and west sides of Forty-fifth street, from Locust to Spruce street; on south side of Locust street, from Forty-fifth street east to Forty-fourth street, and Pine street, south side, from Forty-fourth to Forty-fifth street, in the Twenty-seventh Ward. Lenox avenue, from Broad street to Fifteenth street; Carlisle street, from Westmoreland to Ontario street, and Carlisle street, from Allegheny avenue to Westmoreland street, in the Twenty-eighth Ward. Newkirk street and Dover street, between Columbia avenue and Oxford street, in the Twenty-ninth Ward. Gaul street, from Emlen to Adams street; Gordon street, from Belgrade to Cedar street, and Tucker street, from Memphis to Cedar street, in the Thirty-first Ward. Second street, from Indiana to Glenwood avenue; Gransback street, from Cambria to Clearfield street; Ontario street, from the east side of Germantown avenue to Reading Railroad; Eleventh street, from Ontario street to Tioga street; Tenth street, from Ontario street to Rising Sun lane; Tioga street, from Eleventh street to the Philadelphia & Reading Railroad; Humboldt street, from Eleventh to Tenth street; Schiller street, from Eleventh to Tenth street: Front street, west side, from Cambria to Gurney street; Westmoreland street, from Fifth to Lawrence street, in the Thirty-third Ward. Fifty-second street, between Columbia avenue and Elm avenue, and west side of Belmont avenue, from its present terminus to City avenue. In Ritner street, from Eleventh street to Moyamensing avenue, and Alder street, from Wolf street to Ritner street; Fitzgerald street, from Twelfth to Thirteenth street; Long street, from McKean street to Snyder avenue, in the First Ward. Huntingdon street, from American street to Second street, in the Nineteenth Ward. Church street, from Clay to Webster street, in the Twenty-first Ward. Springer street, about three hundred and twenty-three (323) feet west of Crowson street; Boyer street, from Woodbine avenue to Mill street, in the Twenty-second Ward. North

side of Brown street, from Lancaster avenue to Forty-third street; east side of Forty-third street, from Brown street to Lancaster avenue, in the Twenty-fourth Ward. Locust street, from Richmond to Garden street; Emerald street, from Clearfield street to Allegheny avenue, in the Twenty-fifth Ward. Warrington avenue, from Forty-seventh street to Forty-eighth street, in the Twenty-seventh Ward. Carlisle street, from Allegheny avenue to Westmoreland street; Brewster place, from Nineteenth to Twentieth street; north side of Clearfield street, from Carlisle street to Fifteenth street; north side of Cumberland street, from Ridge avenue to Thirty-third street, and Twenty-fifth street, from York to Hagert street; Thirty-one-and-a-half, Thirty-one-and-three-quarter, Thirty-two-and-a-half, and Thirty-two-and-three-quarter streets, from York to Cumberland street, in the Twenty-eighth Ward. West side of Twenty-eighth street, between Columbia avenue and Oxford street, and east side of Twenty-ninth street, between Columbia avenue and Oxford street, in the Twenty-ninth Ward. Venango street, from Germantown avenue to Eleventh street, and Camac street, from Erie avenue to Angle street, in the Thirty-third Ward. Forty-seventh street, from Westminster avenue to Lancaster avenue; Conestoga street, from Lansdowne avenue to Hunter avenue, in the Thirty-fourth Ward. Oakford street, from Twenty-third to Twenty-fourth street, and Twenty fourth street, from Oakford to Shunk street; Thirty-first street, from P. W. & B. R. R. to Wharton street, in the Thirty-sixth Ward: *Provided*, That said streets shall be first dedicated or properly opened.

Approved the ninth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the Edison Electric Light Company to lay conduits across and along Latimer street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to the Edison Electric Light Company to lay conduits across Latimer street and in Latimer street between Nos. 1610 and

1616, and to make house connections. The work to be done under the supervision of the Department of Public Works after a permit has first been obtained from said Department: *Provided*, The said electric light company pay into the City Treasury the sum of fifty (50) dollars for printing this ordinance.

Approved the tenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the purchase of a lot of ground for school purposes on the east side of Sixty-third-and-a-half street, above Westminster avenue, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and he is hereby authorized and directed to examine the title to the lot of ground situate on the east side of Sixty-third-and-one-half street three hundred and ten (310) feet northward from the north side of Westminster avenue in the Thirty-fourth Ward. The said lot or piece of ground containing in front on the east side of said Sixty-third-and-one-half street forty (40) feet and extending in depth eastwardly between lines parallel with Westminster and Girard avenues and adjoining the public school property ninety (90) feet, and if he approves of the same to cause a conveyance of the said lot or piece of ground to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of one thousand (1000) dollars.

SECT 2. That the sum of one thousand (1000) dollars is hereby appropriated to the Board of Public Education out of Item 57 $\frac{1}{4}$  of an ordinance approved December 21, 1891, "To make an appropriation to the Board of Public Education for the year 1892" to pay for the lot of ground described in the first section hereof. Warrants shall be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the fourteenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize the purchase of a lot of ground, with building thereon, for school purposes, on the east side of Howard street above Diamond street, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and he is hereby authorized and directed to examine the title to the lot of ground, with building thereon, situate on the east side of Howard street, commencing at the distance of three hundred and fifteen feet northward from the north side of Diamond street; containing in front on Howard street sixteen feet, more or less, and extending in depth eastward of that width parallel with Diamond street one hundred and nine feet to Hope street; and if he approves of the same, to cause a conveyance of said lot of ground and building thereon to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of eight thousand (8,000) dollars.

SECT. 2. That the sum of eight thousand (8,000) dollars be, and the same is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, to make an appropriation to certain items in the annual appropriation to the Department of Public Works, Bureaus of Gas, Surveys and Water, and Board of Public Education for the year 1894," to pay for the lot of ground, &c., described in the first section hereof. Warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved this fourteenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To authorize the purchase of a lot of ground, with buildings thereon, for school purposes, situate on the east side of Howard street, in the Nineteenth Ward, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and

is hereby authorized and directed to examine the title to the lot of ground, with buildings thereon, situate on the east side of Howard street at the distance of one hundred and ninety-seven feet eleven inches northward from the north side of Diamond street, in the Nineteenth Ward of the City of Philadelphia; containing in front or breadth on the said Howard street seventeen feet one inch, and of that width or depth on the north line (adjoining the school property) one hundred and eight feet nine-and-three-eighths inches to Hope street, and extending southward on the west side of Hope street twenty-one feet eleven inches; thence westward thirty-eight feet; thence northward four feet ten inches; thence westward seventy feet nine-and-three-eighths inches to Howard street; and if he approves of the same, to cause a conveyance of said lot of ground, with buildings thereon, to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of six thousand (6,000) dollars.

SECT. 2. The sum six thousand (6,000) dollars is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, to pay for the lot of ground and buildings thereon described in the first section hereof, and warrants shall be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the fourteenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To appropriate for park purposes land within the boundaries of Starr Garden, in the Fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That, having failed to agree with the owners of ground within the boundaries of Starr Garden, in the Fifth Ward, beginning at the southeast corner of Seventh

and Lombard streets; thence extending along the south side of Lombard street eastward one hundred and twenty-eight (128) feet three (3) inches to land now or late of George W. Blye: thence along the same southward seventy-eight (78) feet to a corner; thence still along the same eastward one (1) foot nine (9) inches more or less to the line of land of The City Parks Association of Philadelphia; thence southward along the same one hundred and twenty-four (124) feet more or less to the north side of Carver street; thence westward along the same one hundred and thirty (130) feet more or less to the east side of Seventh street; and thence northward along the same two hundred and two (202) feet six (6) inches more or less to the south side of Lombard street, the place of beginning, as to the price thereof; they hereby appropriate the ground above described as an open public place or park for the health and enjoyment of the people; and the City Solicitor is hereby authorized and directed forthwith to notify the owners of the said ground, that at the expiration of three months from the date of said notice said ground will be required for public use.

SECT. 2. At the expiration of said three months the Mayor is hereby authorized and directed to enter security in the name of the City for the payment of any damages that may be awarded by reason of the taking of said ground, and thereupon possession of the same shall be taken for public use, and the City Solicitor shall begin and conduct the proper proceedings in the Court of Quarter Sessions of the assessment of damages for said taking.

Approved the nineteenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To condemn a certain lot of ground for school purposes in the Thirty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Solicitor is author-

ized and instructed to begin proceedings at once to condemn for school purposes the lot at the northwest corner of Eighteenth street and Passyunk avenue, in the Thirty-sixth Ward, or so much thereof as may be needed; said lot being described as follows: Beginning at the northwest corner of Passyunk avenue and Eighteenth street; thence north along the west side of Eighteenth street, two hundred and seventy-two (272) feet, eleven and one-half ( $11\frac{1}{2}$ ) inches to the south side of Snyder avenue; west along Snyder avenue two hundred and twenty-five (225) feet six (6) inches to the land of the Lebanon Cemetery Company; thence southeast along the land of the Lebanon Cemetery Company three hundred and forty (340) feet more or less to the north side of Passyunk avenue; thence northeast along Passyunk avenue fifty-two (52) feet five and one-half ( $5\frac{1}{2}$ ) inches to the place of beginning.

Approved the nineteenth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize certain transfers from the appropriation towards the maintenance of the Pennsylvania Nautical School, City Commissioners, Board of Revision of Taxes, Receiver of Taxes, Mayor and Department of Public Works, for the year 1894, to the Departments of Public Safety, Charities and Correction, Education, and City Commissioners and Clerks of Councils for said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is hereby authorized to make the following transfers, viz: From the appropriation towards the maintenance of the Pennsylvania Nautical School, the sum of three thousand (3,000) dollars; From Item 8, to pay coach hire for Grand Jury, one hundred (100) dollars; from Item 10, to pay State

Hospital for Insane, Southeastern District of Pennsylvania, three thousand three hundred (3,300) dollars: from Item 12, to pay Managers toward the expenses of House of Refuge, eighteen thousand (18,000) dollars; from Item 15, for furnishing stationery, etc., two thousand (2,000) dollars: from Item 19, to pay for posting assessors lists, two hundred (200) dollars; from Item 20, to pay for rent of rooms, six hundred (600) dollars; from Item 31, to pay for support, etc., National Guards, one thousand (1,000) dollars; from Item 34, to pay for incurables at Wernersville, one thousand five hundred (1,500) dollars; in the annual appropriation to the City Commissioners for the year 1894. From Item 2, to pay salaries of forty-four Assessors, six hundred and sixty (660) dollars, in the annual appropriation to the Board of Revision of Taxes, for the year 1894. From Item 4 (Bureau of Gas), two hundred (200) dollars, in the annual appropriation to the Receiver of Taxes, for the year 1894. From Item 6 $\frac{1}{2}$ , for surveys and examination of proposed ship canal, three thousand seven hundred and sixty-five (3,765) dollars, in the annual appropriation to the Mayor, for the year 1894. From Item 4 (Bureau of Street Cleaning), four thousand (4,000) dollars, in the annual appropriation to the Department of Public Works, for the year 1894, making in all the sum of thirty-eight thousand three hundred and twenty-five (38,325) dollars, to the following Items, viz: To Item 36, for improvement of Ontario Park, six thousand (6,000) dollars: to new Item 47, to pay R. C. Ballinger & Co. for extra work at Police Station, Front and Westmoreland streets, Thirty-third Ward, five hundred and seventy-five (575) dollars: to new Item 48, for the purchase of site for bath house, in the Twenty-third Ward, six thousand (6,000) dollars, in the annual appropriation to the (Bureau of City Property) Department of Public Safety, for the year 1894, to Item 5, for wages on pay roll (Hospital Department), nine hundred (900) dollars: to Item 9, for wages on pay roll (Insane Department), four hundred (400) dollars; to Item 11, for meats and fish, two thousand (2,000) dollars; to Item 12, for groceries and tobacco, three thousand eight hundred (3,800) dollars: to Item 15, for dry goods, etc., one thousand five hundred (1,500) dollars: to Item 17, for crockery, etc., two hundred and fifty (250) dollars: to Item 19, for fuel, five thousand (5,000) dollars; to Item 45, for ice, one hundred and fifty (150) dollars: to Item 46, for purchase of medicines, etc., one thousand (1,000)

dollars; to Item 50, for maintenance of children, etc., four thousand (4,000) dollars, in the annual appropriation to the Department of Charities and Correction (Bureau of Charities), for the year 1894, to new Item 58, for the purchase of lot, for school purposes, on Tinicum avenue, Twenty-seventh Ward, six thousand (6,000) dollars: *Provided*. This item shall not merge December 31, 1894, in the annual appropriation to the Board of Public Education for the year 1894; to Item 32, for conveyance of prisoners, etc., four hundred dollars, in the annual appropriation to the City Commissioners for the year 1894; to Item 4, for advertising, three hundred and fifty (350) dollars, in the annual appropriation to the Clerks of Councils, for the year 1894.

Approved the twentieth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the Department of Public Works to enter into a contract for the construction of a sewer on Highland avenue, without certain conditions.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to enter into a contract for the construction of a sewer on Highland avenue, from Germantown avenue to one hundred (100) feet southwest of Twenty-seventh street, in accordance with the ordinance approved June 18, 1894, without the usual conditions that the contractor shall accept sums assessed upon the properties lying on the line of said sewer in payment for the same: *Provided, however*, That no permit shall be issued for any owner of property to connect with said sewer until the regular frontage charges shall have been paid into the City Treasury.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the laying of Gas Pipe on certain streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be authorized and directed to lay gas pipe on the following streets: Sommerville, Gordon and Nosilla streets, from Twenty-seventh to Twenty-eighth street, in the Twenty-eighth Ward; east side of Twenty-third street, from Columbia avenue to Montgomery avenue, in the Twenty-ninth Ward; Geiss street, from Dauphin to York street; Gordon street, from Belgrade to Geiss street, in the Thirty-first Ward; Sixty-fifth street, from Vine to Westminster avenue, and such other extensions as may be necessary for the purpose of introducing gas into the home for the Old Veterans of the late war and their wives, in the Thirty-fourth Ward; Ward street, from Mifflin to McKean street, in the Thirty-sixth Ward; Mather street, from Westmoreland street to Delaware street; and on Delaware street, from Mather street to Fifteenth street, in the Twenty-eighth Ward; Westminster avenue, from Fifty-fifth to Fifty-sixth street, in the Thirty-fourth Ward; Twenty-ninth street, from Wharton to Oakford street; and on Guenther street, from Wharton to Oakford street, in the Thirty-sixth Ward: *Provided*, That said streets shall be first dedicated or properly opened.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To permit the Pennsylvania Iron Works Company to lay a steam pipe under and across Merion avenue, in the Thirty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be and the same is hereby granted to the Pennsylvania Iron Works Company

to lay a steam pipe under and across Merion avenue at a distance of about forty feet, more or less, westward from Fiftieth street. The size of said pipe and casing shall not exceed twelve inches in diameter, and shall be of sufficient depth below the surface to clear all existing pipes, and shall be constructed under the proper supervision and direction of the Department of Public Works, in accordance with the plans to be submitted to and approved in accordance with the general ordinances by the Board of Highway Supervisors: *Provided*, That the said Pennsylvania Iron Works Company shall agree to be responsible for all damages that may be caused by reason of this privilege being granted so long as the said pipe shall remain in said street, and shall repair and repave that part of the street opened for the pipe, and shall repair all defects of the said street that may appear from time to time to be caused by the said company so long as this privilege shall be retained by them whenever requested by the Director of the Department of Public Works to put the street in order, and provided the privilege hereby granted shall be revocable at any time without notice by the passage of a resolution or ordinance to that effect: *Provided further*, That the said Pennsylvania Iron Works Company shall first pay into the City Treasury the sum of fifty (50) dollars for the publication of this ordinance.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize the Director of the Department of Public Works to draw, and the City Controller to countersign, a warrant in favor of David McMahon, for work done in front of property of poor house, on Lehman and Donat streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Depart-



ment of Public Works be, and he is hereby authorized to draw, and the City Controller to countersign, a warrant for one thousand and eighty-six (1,086) dollars and thirty-one (31) cents, in favor of David McMahon, for work done in grading, curbing and paving in front of the property of the poor house on Lehman and Donat streets, in the Twenty-second Ward; the same to be taken from Item 2, for paving intersections and unassessable property, in the annual appropriation to the Department of Public Works (Bureau of Highways). All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE.

To revise the lines and grades of a portion of Plan No. 262, in the Twenty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized and directed to revise a portion of Plan No. 262, in the Twenty-fourth Ward, so as to strike therefrom Mantua avenue from Parrish street to Fortieth street, and from Westminster avenue to Forty-first street: Thirty-ninth street from Parrish to Mantua avenue, and Union street from Ogden street to Mantua avenue; and to widen Parrish street on the north side from Mantua avenue to Union street, and Union street on the east side from Parrish street to Ogden street, making said streets 50 feet in width, and to round the corners at Parrish and Union streets and Ogden and Union streets, and to make the necessary revision of grades: *Provided*, The Pennsylvania Railroad Company shall first dedicate to the City of Philadelphia the ground necessary for the widening of said Parrish and Union

streets, and shall dedicate so much of their ground as lies within the lines of Mantua avenue between Fortieth street and Westminster avenue, and shall remove the buildings thereon erected.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the grading of Markle, Wood, Devon, Durham, Cedar, Almond, Forty-five-and-a-half, Sixty-third, Hartville, Fifty-fourth, Twenty-eighth, and Thirty-fourth streets, and Magnolia and Glenwood avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Director of the Department of Public Works be, and is hereby authorized and directed to grade the following streets to the established grade of the City, and construct the necessary drains, viz. : Markle street, from Terrace street to Manayunk avenue ; Wood street, from Fountain to Fleason streets ; Devon street, from Gowen avenue to Cresheim avenue ; Devon street, from Mt. Pleasant avenue to Durham street ; Durham street, from Devon to Boyer street ; Magnolia avenue, from Locust avenue to Mill street, the dirt removed from said Magnolia avenue to be deposited on Belfield avenue, south of Penn street ; Cedar street, from Foulkrod to Harrison street ; Almond street, from Ash to Lafevre street ; Forty-five-and-a-half street, from Kingessing avenue to four hundred feet south ; Sixty-third street, from the Philadelphia, Wilmington and Baltimore Railroad to one hundred and sixty-eight feet southeast of Buist avenue ; Hartville street, from Cambria to Indiana street ; Glenwood avenue, from Second to Mascher street ; Fifty-fourth street, from Vine to Market street ; Twenty-eighth street, from Reed to Jackson street ; Thirty-fourth street, from the Philadel-

phia, Wilmington and Baltimore Railroad to Wharton street. The cost to the City for said work not to exceed twenty thousand (20,000) dollars. The owners of property fronting on said streets shall grade, curb and pave their sidewalks. *Provided*, That said streets shall be first dedicated or properly opened. And, further provided, that the said grading shall be advertised for, and the contract awarded to the lowest bidder.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the extension of the Passyunk avenue sewer, between Twenty-first and Twentieth streets, and on Twentieth street between Passyunk avenue and Morris street, in the Thirty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to construct an extension to the main sewer on Passyunk avenue, between Twenty-first and Twentieth streets, and on Twentieth street between Passyunk avenue and Morris street, in the Thirty-sixth Ward.

SECT. 2. The cost of extension of the main sewer on Passyunk avenue and Twentieth street, to the amount of three thousand five hundred (3,500) dollars, be charged to Item 22, of the appropriation for the Bureau of Surveys, in the annual appropriation to the Department of Public Works.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To place Susquehanna avenue, from Glenwood avenue to Sedgley avenue, on the City plan.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to place on the City plan Susquehanna avenue, of the width of sixty feet, from Glenwood avenue to Sedgley avenue.

Approved the twenty-first day of November A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To pay for macadamizing Rural avenue in front of Mt. Airy basin.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to draw and the City Controller requested to countersign a warrant in the sum of three hundred (300) dollars in favor of H. H. Houston, to reimburse him for money expended in macadamizing Rural avenue in front of Mt. Airy basin, the same to be charged to Item 2 in the annual appropriation to the Department of Public Works, Bureau of Highways.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance authorizing the grading of Berkley, Cedar, Oakland, Margaret, and other streets, approved April 4, 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an ordinance entitled "An Ordinance to authorize the grading of Berkley, Cedar, Oakland, Margaret, Unruh, Clearfield, Cumberland, Thirtieth, Suplee, Fifty-fifth, Fifty-sixth, Fifty-seventh and Whitby streets, Frankford, Greenway, Lehigh, Stenton and Wissahickon avenues," approved April 4, 1894, be, and the same is hereby amended so far as it relates to Greenway avenue, by striking out the words and figures "five hundred (500) dollars," and inserting in lieu thereof the words and figures "eight hundred and fifty (850) dollars;" and so far as it relates to Berkley street, from Pulaski avenue to Wayne street, by striking out the words and figures "four hundred (400) dollars," and inserting in place thereof the words and figures "one thousand four hundred (1,400) dollars."

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the Bell Telephone Company to extend their poles and wires in Germantown, and repealing so much of the ordinance of June 13, 1882, as may conflict with this ordinance.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Section one of the ordinance

approved July 3, 1890, entitled "An Ordinance to authorize the Bell Telephone Company to extend their poles and wires in Germantown, and repealing so much of the ordinance of June 13, 1882, as may conflict with this ordinance," be amended so as to extend the time for the completion of the work until the first day of July, 1895. Also, to strike out the following paragraph in section one: "The said company shall furnish free telephonic service to all buildings occupied by the City for police, fire or school purposes as may be ordered, from time to time, by the Department of Public Safety (Electrical Bureau)," and insert the following in lieu thereof: "The said company shall furnish free telephonic service to all buildings occupied by the City for police, fire, or school purposes within the territory embraced in this ordinance as may be ordered, from time to time, by the Department of Public Safety (Electrical Bureau)."

SECT. 2. The provisions of the ordinance of July 3, 1890, shall extend to all streets or highways in Chestnut Hill, north of and beyond Allen's lane, in the County of Philadelphia. And that the said company shall pay fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To place on the City plan Coulston, Forty-three-and-a-half, Brewster, Thirty-one-and-a-half, Thirty-one-and-three-quarter, Thirty-two-and-a-half, Thirty-two-and-three quarter, Fourteen-and-a-half, Twenty-eight-and-a-half, Twenty-eight-and-three-quarter and Arlington streets, and Edison avenue and Proctor road.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Public Works be authorized to place on the City plan Coulston street,

of the width of 30 feet, from Manakin to Thuron street; Forty-three-and-a-half street, of the width of 30 feet, from Aspen to Brown street; Brewster street, of the width of 30 feet, from Nineteenth street to Twentieth street; Thirty-one-and-a-half, Thirty-one-and-three-quarter, Thirty-two-and-a-half and Thirty-two-and-three-quarter streets, each of the width of 30 feet, from York to Cumberland street; Fourteen-and-a-half street, of the width of 40 feet, from Allegheny avenue to Westmoreland street; Twenty-eight-and-a-half and Twenty-eight-and-three-quarter streets, each of the width of 30 feet, from Oxford street to Columbia avenue; Arlington street, of the width of 36 feet, from Thirty-second to Thirty-third street; Edison avenue, of the width of 50 feet, from Somerton station to Cemetery road, and Proctor road, of the width of 50 feet, from Cemetery road, to Byberry road: *Provided*, The owners of ground within the lines of said streets shall file a bond, or enter into a written agreement satisfactory to the City Solicitor, indemnifying the City against all damages that may arise, or covenanting and agreeing to obtain releases from all such owners of all damages that may arise by reason of the placing and opening of the same, before this ordinance shall go into effect. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-first day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

Relating to the preparation and use of stone that may enter into work done under contract with the City of Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That in all contracts entered into by the City of Philadelphia after January 1, 1895, with any one for the construction of Public Buildings or the placing of stones in gutters or at crossings, it shall be specified that the

work of cutting and preparing such stone for use shall be done in Philadelphia. *Provided*, That the cost of cutting and preparing such stone shall not be in excess of the price paid labor for like work under private contracts in the City of Philadelphia.

SECT. 2. The Departments are hereby instructed to have all proposals for work on school-houses, fire-houses and such other buildings, together with curbing and crossing stone, as are intended for municipal use, so worded as to inform intending bidders that the stone to be used in municipal work must be cut in Philadelphia.

Approved the twenty-sixth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting John Bromley & Sons permission to place a telephone wire on City poles to connect their mills at Fourth and Lehigh avenue and Fillmore and Lehigh avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to Messrs. John Bromley & Sons to place a telephone wire on the City poles on and across the highways so as to connect their mills, located at Fourth and Lehigh avenue and Fillmore and Lehigh avenue. Said wire to be erected under the supervision of the Department of Public Safety (Electrical Bureau), and shall be removed at any time said department may so direct. Fifty dollars shall be paid to the City Treasurer by said John Bromley & Sons for the printing of this ordinance.

Approved this twenty-eighth day of November, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize certain transfers in the annual appropriations to the Mayor, Departments of Charities and Correction, Public Works and Public Safety, Commissioners for the Erection of the Public Buildings and Inspectors of the County Prison, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the City Controller be, and is hereby authorized to make the following transfers, viz: Bureau of Surveys: From Item 30, for main sewers, twenty-five thousand (25,000) dollars to Bureau of Surveys, Item 15 (for the repair, reconstruction and improvement of Cohocksink sewer), in the annual appropriation to the Department of Public Works for the year 1894. Bureau of Police: From Item 1, for salaries, four thousand eight hundred (4,800) dollars, to Item 13, for general advertising, one hundred and fifty (150) dollars. To Item 14, for repairs to boats, one thousand (1,000) dollars. To Item 19, for harness and repairs and stable supplies, two thousand (2,000) dollars. To Item 20, for bedding and furniture, one thousand (1,000) dollars. To Item 22, for new supply wagon, two hundred and fifty (250) dollars. Bureau of City Property: To Item 2, incidentals, two hundred (200) dollars. To Item 3, for repairs to wharves, two hundred (200) dollars. In the annual appropriation to the Department of Public Safety for the year 1894. From Item 12, incidentals, materials and furnishings, two thousand five hundred (2,500) dollars. To Item 1, salaries and wages to sub item, laborers, one thousand five hundred (1,500) dollars, and to sub-item, bricklayers, one thousand (1,000) dollars. In the annual appropriation to the Commissioners for the Erection of the Public Buildings for the year 1894.

From Item 6 $\frac{1}{2}$ , for surveys and examination of proposed ship canal, two hundred and thirty-five (235) dollars; from Item 10 $\frac{1}{2}$ , for establishing Public Museums, etc., three thousand five hundred (3,500) dollars, in the annual appropriation to the Mayor for the year 1894; from Item 51, for the purchase of medicine, etc., two hundred and sixty-five (265) dollars, in the annual appropriation to the Department of Charities and Correction (Bureau of Charities), for the year 1894.

Bureau of Lighting: From Item 2, for keep of horses and wagons, etc., one hundred and seventy-five (175) dollars; from Item 6, for gasoline lighting, five hundred (500) dollars; from Item 7, for lighting Northern Liberties Gas District, one hundred and twenty (120) dollars and thirty-nine (39) cents. Bureau of Street Cleaning; From Item 1, for salaries, sixty-three (63) dollars and ninety-nine (99) cents; from Item 4, for cleaning streets, inlets, etc., four hundred and ninety-three (493) dollars and thirteen (13) cents. Bureau of Water: From Item 1, for salaries, one thousand (1,000) dollars; from Item 9M, for supply main in Kensington avenue, one thousand and twenty (1,020) dollars and fifty-three (53) cents; from Item 4, for maintenance and repairs to buildings, etc., three thousand (3,000) dollars, in the annual appropriation to the Department of Public Works for the year 1894; total, ten thousand three hundred and seventy-three (10,373) dollars and four (4) cents, to the following Items, viz:

Bureau of Lighting: To Item 8, for extension and erection of gas lamps, two hundred (200) dollars. Bureau of Water: To Item 3, for repairs to machinery, one thousand one hundred and seventy-three (1,173) dollars and four (4) cents; to Item 6, for supplies, including fuel and labor at the City construction and repair shop, six thousand (6,000) dollars; to Item 7, for general incidental and contingent expenses, three thousand (3,000) dollars, in the annual appropriation to the Department of Public Works for the year 1894.

Bureau of Surveys: From Item 4, equipment of District Surveyors, one thousand (1,000) dollars; from Item 21, intercepting sewer, one thousand two hundred and thirty-seven (1,237) dollars; from Item 30, main sewers, one thousand nine hundred and thirty-seven (1,937) dollars; from Item 24 main sewers, four thousand eight hundred and forty four (4,844) dollars; from Item 27, main sewers, four thousand seven hundred and eighty-two (4,782) dollars; in all, thirteen thousand eight hundred (13,800) dollars; to Item 4, for wages of employees and expenses of District Surveyors, as follows:

First District, four hundred (400) dollars; Second District, one thousand eight hundred (1,800) dollars; Third District, three thousand five hundred (3,500) dollars; Fourth District, six hundred (600) dollars; Fifth District, five hundred (500) dollars; Sixth District, two hundred (200) dollars; Seventh District, four hundred (400) dollars; Eighth

District, one thousand eight hundred (1,800) dollars; Ninth District, one hundred (100) dollars; Eleventh District, two thousand six hundred (2,600) dollars; Twelfth District, five hundred (500) dollars; Thirteenth District, one thousand four hundred (1,400) dollars, in the annual appropriation to the Department of Public Works for the year 1894.

From Item 2, for beef, mutton and pork, the sum of one thousand (1,000) dollars to Item (26), for and toward the erection of a new County Prison in the Thirty-fifth Ward, in the annual appropriation to the Inspectors of the County Prison for the year 1894.

Bureau of Health: From Item 1, for salaries, two hundred and eighty-one (281) dollars and forty-nine (49) cents; Bureau of Fire, from Item 1, for salaries, three hundred (300) dollars; Electrical Bureau, from Item 1, for salaries, four hundred (400) dollars; from Item 16, for electric lighting, one thousand eight hundred (1,800) dollars; from Item 16 $\frac{1}{2}$ , for lighting Welsh Road, two hundred and sixty-five (265) dollars; from Item 17, for extension new electric lights, one thousand nine hundred and thirty-five (1,935) dollars; Bureau of Steam Engines and Boilers, for salaries Elevator Inspectors, one thousand (1,000) dollars, in the annual appropriation to the Department of Public Safety for the year 1894. Bureau of Charities, from Item 22, for salaries, one hundred and fifty-seven (157) dollars and sixty-five (65) cents; from Item 51, for purchase of medicines for the sick, one hundred and eighty-five (185) dollars, in the annual appropriation to the Department of Charities and Correction for the year 1894. From Item 11, for expenses incurred in the unveiling of McClellan's Statue, fifty-three (53) dollars and twenty-two (22) cents, in the annual appropriation to the Mayor for the year 1894: making in all six thousand three hundred and seventy-seven (6,377) dollars and thirty-six (36) cents to the following items:

Bureau of Health: To Item 6, for removal of nuisances, four thousand four hundred (4,400) dollars; to Item 12, for fuel, two hundred and eighty-one (281) dollars and forty nine (49) cents; Electrical Bureau, to Item 16 $\frac{1}{2}$ , for the erection and maintenance of electric lights on South Broad street, Passyunk, Weccacoc, Moyamensing and Penrose Ferry avenues and Island road, one thousand (1,000) dollars, in the annual appropriation to the Department of Public Safety for

the year 1894. Bureau of Highways, to Item 4, for replanking Fifty-eighth street from Baltimore avenue south, six hundred and ninety-five (695) dollars and eighty-seven (87) cents, in the annual appropriation to the Department of Public Works for the year 1894.

Approved the first day of December, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the Department of Public Works to extend the contracts for paving Fisher street, from Westmoreland street to a point about one hundred feet southward, and the unpaved portion of Salmon street, from Wellington to Westmoreland street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to extend the contract for paving Fisher street, from Westmoreland street to a point about one hundred feet southward, so as to provide for the repaving of said Fisher street with Pennsylvania or Lambertville blocks, from the said point to Allegheny avenue, and extend the contract for paving the unpaved portion of Salmon street, from Wellington to Westmoreland street, so as to provide for the repaving with Pennsylvania or Lambertville blocks, of the portion of said street now paved, between the points named. The cost of the work on Fisher street shall not exceed the present limit of said contract, and the cost of said work on Salmon street shall not exceed three thousand (3,000) dollars. The cost of said work to be taken from Item 2 in the annual appropriation to the Department of Public Works, Bureau of Highways.

Approved the fourth day of December A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

## RESOLUTION

To authorize and direct the Director of the Department of Public Works to draw and the City Controller to countersign warrants for repaving streets with improved pavement not occupied by passenger railway companies.

*Resolved, by the Select and Common Councils of the City of Philadelphia* That the Director of the Department of Public Works is hereby authorized and directed to draw and the City Controller to countersign warrants for repaving streets with improved pavement not occupied by passenger railway companies, for which contracts have been awarded, against any unexpended balances in Items 30 A and 30 C loan account, and Item 30 B of the general appropriation, in the appropriation to the Department of Public Works, Bureau of Highways, for the year 1894, and that Joint Rule 30 of the Select and Common Councils is hereby suspended, for the purpose of enabling the Clerks of Councils to present this resolution to his Honor the Mayor, for his approval or disapproval.

Approved the fourth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Relative to the paving of Frankford avenue, from Harrowgate lane to a point 170 feet southwest of Juniata avenue.

WHEREAS, By Ordinance approved March 31, 1894, Frankford avenue, from Harrowgate lane to a point 170 feet southwest of Juniata avenue, was authorized to be paved with granite blocks, the contractor to collect the cost of the same from property owners, and as doubts have arisen as to the liability of abutting property owners to pay for said paving, it being alleged that the Railroad Company occupying said street is liable for the same.

*And Whereas*, The Master appointed by Court No. 4, to whom was referred the question of paving Frankford avenue from Margaret to Adams street, has reported that the property owners were not liable for the cost of said paving, and until the Supreme Court finally determines said question the bills against property owners cannot be collected, and in the meantime it being greatly to the public interest that said paving shall be completed; Therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be authorized to prepare and the Mayor to execute a supplemental contract for the paving of said Frankford avenue from Harrowgate lane to a point 170 feet southwest of Juniata avenue, with a clause that the total cost of said work shall be paid for by the City out of Item 2 in the annual appropriation to the Department of Public Works, Bureau of Highways. The bills for said paving, except as to the intersections and the unassessable property, shall be made out against the abutting property owners and collected for the use of the City by a lien filed or otherwise, according to law. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Approved the fourth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize a revision of the grades of Foulkrod street, Castor road and Penn street, in the Twenty-third and Thirty-fifth Wards.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to revise the grades of Foulkrod street, from Large street to Castor road, the grades of Castor road, from Duncannon street to Arrott street, and the grades of Penn street, from Sellers street to Unity street,

in the Twenty-third and Thirty-fifth Wards, and to make the necessary revisions of the streets adjacent that may be affected by said changes of grade: *Provided*, That the Philadelphia and Frankford Railroad Company first file a satisfactory agreement or bond indemnifying the City of Philadelphia from any damages which may arise by reason of the said change of grade.

Approved the fourth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Granting permission to The Chestnut Hill and Spring House Passenger Railway Company to lay tracks and to use electric motors to be supplied from overhead wires and to erect and maintain poles to support said wires.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission is hereby granted to The Chestnut Hill and Spring House Passenger Railway Company to lay double tracks as follows: Beginning at the southwesterly side of Germantown avenue at the intersection of Germantown avenue and the Chestnut Hill and Spring House turnpike; thence along the latter to the County line at Stenton avenue or County Line road; returning by the same route, with the right to lay curves, switches and turnouts requisite to make the necessary circuits and connections. The laying of said tracks shall be commenced within one year from the passage of this ordinance, and shall be completed within two years thereafter.

SECT. 2. That permission be and the same is hereby granted to the said The Chestnut Hill and Spring House Passenger Railway Company to use electric motors as the propelling power of its cars on its tracks as the same are authorized to be laid in Section 1 of this ordinance. Said motors to be supplied from overhead wires supported by iron poles not less than twenty feet high, which said company is authorized to erect and maintain, and to be placed opposite each other within the curb lines and connected with street

wires, or, at the option of the company to be erected in the middle of the street or turnpike, with a double bracket thereon suspending the overhead construction. The same to be of the kind, style and system as that now constructed by the Catharine and Bainbridge Streets Railway Company, and all feed wires shall be buried.

SECT. 3. Before any permits shall be issued by the departments of the City of Philadelphia to proceed with the work of constructing the railway and trolley system authorized by this ordinance, the said railway company shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor, and shall, among other things provide: That the said railway company shall agree to keep and maintain in good order at all times, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway, or by its trolley system, that the said railway company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force, or which may hereafter be passed, relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia. That in the construction and equipment of its roadbed, cars or its trolley system, all kinds and character of materials, supplies or workmanship, plans, profiles, elevations, designs, etc., shall be subject in every way at all times to the approval and inspection of the Departments of Public Works and Public Safety: that the said company shall take down and remove the overhead trolley system whenever directed to do so by ordinance of Councils: that the said railway company shall run cars over its entire line within the City and County of Philadelphia at intervals not exceeding five minutes between the hours of six (6) and nine (9) A. M. and five (5) and eight (8) P. M., and at intervals not exceeding ten minutes at all other hours of the day, excepting between the hours of twelve (12) midnight and five (5) A. M. when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line within the City and County of Philadelphia shall not exceed the present fare, excepting between midnight and five (5) o'clock A. M., when it shall not exceed ten cents; that the railway or trolley system herein authorized shall be so built and erected as not to interfere with the building or erecting



and operating of an elevated railway or railroad on any of the streets, avenues or turnpike herein named: that work upon the said railway and trolley system shall be begun within one year, completed and in operation over the entire route herein named within two years, and that the said railway company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance and the agreement or contract herein authorized, which bond is forfeited to the City, and the money shall be paid into the city treasury if the said railway company shall default in its agreement.

SECT. 4. That the said company shall, under the supervision of the Department of Public Works, repave in good, substantial and workmanlike manner with Belgian blocks or other improved pavement, as directed by ordinance of Councils, or by the Director of the Department of Public Works, and to be done in a manner to be prescribed by and to the satisfaction of the said department, all streets or the turnpike to be occupied by it not already repaved with such improved pavement, and also all streets or the turnpike heretofore repaved with an improved pavement the repaving of which is not satisfactory to the said department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles and trolley wires, or by other electric motive power system. Such repaving shall be commenced upon the said streets or the turnpike as soon as the construction of the road-bed, or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said street or turnpike, or as Councils may by ordinance otherwise direct: if not thus pushed, the Director of the Department of Public Works may enter upon the streets or turnpike and complete the same at the expense and cost of the said railway, trolley or other electric motive power company constructed therein: and that said company shall at all times hereafter keep the said paving in good repair when directed to do so by the Department of Public Works so long as the said trolley or other electric motive power system shall be maintained on such streets or turnpike: *Provided*, That such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing the

streets or turnpike occupied by it that may be required by any ordinance of Councils that has been passed or that may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Acts of Assembly. And that fifty (50) dollars shall be paid into the city treasury by said company for printing this ordinance.

Approved the eleventh day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

Permitting the Philadelphia, Bala and Narberth Railway Company to lay tracks and to use electric motors to be supplied from overhead wires: and to erect and maintain poles to support the same in the Thirty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Philadelphia, Bala and Narberth Railway Company, in accordance with its charter, is hereby authorized to lay a single or double track with the necessary curves, connections and turnouts, and to use electric motors as the propelling power of the cars with the necessary standards and appliances needed to operate the same from overhead wires: Beginning at the intersection of Elm or Boundary avenue and Fifty-second street, thence along said Elm or Boundary avenue to its intersection with Bryn Mawr avenue to City avenue, all in the Thirty-fourth Ward.

SECT. 2. Before any permits shall be issued by the Departments of the City of Philadelphia to proceed with the work authorized by this ordinance, the Company designated in Section 1 shall enter into an agreement or contract with the Mayor of the City (who is hereby authorized to execute the same on behalf of the City), which agreement or contract shall be in form approved by the City Solicitor and shall among other things provide: That the said railway company shall, under the supervision of the Department of Public Works, repave in good substantial, workmanlike manner with Belgian blocks or other improved pavement as directed by ordinance

of Councils or by the Department of Public Works in a manner to be prescribed by and to the satisfaction of the said Department, all streets to be occupied by it under this ordinance not already repaved with such improved pavement, and also all other streets heretofore repaved with an improved pavement the repaving of which is not satisfactory to the said Department; said repaving to be done from curb to curb for such length of street as shall be occupied by poles, trolley wires or by other electric motive power system, and such repaving shall be commenced upon each of the said streets as soon as the construction of the roadbed or of the poles or trolley wires or other electric motive power system shall be commenced thereon, and shall be pushed and completed with all reasonable and proper diligence as rapidly as such system is being constructed in said streets, or as Councils may by ordinance otherwise direct; if not thus pushed, the Department of Public Works may enter upon the streets and complete the same at the expense and cost of the said railway company, and that said company shall at all times hereafter keep and maintain in good order, whether paved, macadamized or unimproved, all streets, avenues or roads traversed by its lines of railway, and such repaving or repairing aforesaid shall not free the said company from any other paving, repaving and repairing of the streets occupied by it that may be required by any ordinance of Councils which has been passed or which may be passed, or from any other duty or obligation resting upon it regarding paving and repairing that is incumbent on it under and in virtue of any Act of Assembly and all feed wires shall be buried.

SECT. 3. That the said Railway Company shall agree to accept as binding upon it the terms and conditions of all laws and ordinances now in force or which may hereafter be passed relating to the government, control or regulation of railways or railroads of any kind within the City of Philadelphia: that in the construction and equipment of the roadbed, cars or trolley system all kinds and character of materials, supplies or workmanship, plans, profiles, elevation, designs, etc., shall be subject in every way at all times to the approval and inspection of the Department of Public Works and Public Safety; that the said Company shall take down and remove the overhead trolley system and substitute therefor an underground or storage battery system whenever directed to do so by ordinance of Councils.

SECT. 4. That the said Railway Company shall run cars over the entire line at intervals not exceeding five minutes between the hours of 6 and 9 A. M., and 5 and 8 P. M., and at intervals not exceeding ten minutes at all other hours of the day excepting between the hours of 12 midnight and 5 A. M., when they shall run at least every hour. The rate of fare to be charged for a single continuous ride over the entire line (without change of cars) shall not exceed 5 cents per passenger, excepting between midnight and 5 o'clock A. M., when it shall not exceed ten cents. That the railway or trolley system herein authorized shall be so built and erected as to not interfere with building or erecting and operating of an elevated railway or railroad on any of the streets or avenues herein named. In all cases where property is assessed at less than full city rate where the Departments cannot complete all the underground service, the provisions for repaving with improved pavements shall not be enforced until such times as all underground work shall have been completed and the property rated at full rate. In cases where the streets have never been paved at the cost of the owner of property fronting thereon or at the cost of the City, the Company herein referred to shall not be expected to put down an original pavement on streets in the outlying sections of the city where the travel or traffic is comparatively light: all paving and repaving contemplated by the ordinance shall be done without requiring concrete base provided for in the general ordinances so far as in the judgment of the Department of Public Works this concrete base may be done away with, and on such streets cars may with the assent of the Director of Public Works be run at less frequent intervals than herein before named.

SECT. 5. That work upon the said railway and trolley system shall be begun within one year, completed and in operation over the entire route herein named within two years after the highways herein named are legally opened and graded, and that the said Railway Company shall furnish and execute a bond in the form approved by the City Solicitor, and with security approved by the Mayor in the sum of twenty-five thousand (25,000) dollars, conditioned upon the faithful execution and carrying out of all the terms and conditions of this ordinance, and the agreement or contract herein authorized, which bond is forfeited to the City and the money shall be paid into the City Treasury if the said Railway Company shall

default in the agreement or contract herein authorized; and that fifty dollars shall be paid into the City Treasury by said Company for printing this ordinance.

Approved the eleventh day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend the several ordinances granting permission to the passenger railways or traction companies of the City of Philadelphia, to construct and operate the overhead electrical trolley roads under certain conditions so far as relates to the transfer of the rights thereby granted.

WHEREAS, Councils, by ordinances have granted permission to the several passenger railways and traction companies of this city to construct and operate the overhead electrical trolley system for propelling the cars on their several roads,

AND WHEREAS, The ordinances granting such permission and the contracts which have been entered into under the authority of these ordinances specially provide that the privileges thereby granted shall not be leased, sold, or in any way transferred;

AND WHEREAS, It is deemed advisable, in order to promote and secure speedy construction of said roads so as to facilitate the development of the suburban districts of the city, to dispense with the said restrictions against the transfer, sale or lease of said franchises; therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That in all cases where the right by ordinances has been conferred upon any of the passenger railway or traction companies of this city to construct and operate the overhead trolley system for propelling cars, and where the several railway or traction companies upon whom these privileges have been conferred have complied with the conditions of the said several ordinances, and have entered the security required and executed the contracts provided for under the terms and conditions of said ordinances, and have in all

other respects complied fully with the requirements of the departments, then, and in that event, the said several ordinances be, and they are hereby, so altered and amended as to provide that the Mayor of the city shall have the power to modify or amend the contracts therein authorized so as to permit the transfer, sale, or lease of the franchises or rights granted by said ordinances: *Provided*, That nothing herein contained shall be construed to authorize any other modification of the terms of said contracts or to affect any other covenants or obligations therein contained.

Approved the eleventh day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To authorize the Pennsylvania and New Jersey Railroad Company to construct its railroad across and above certain streets in the City of Philadelphia, and to authorize the Department of Public Works to revise the lines and grades of certain plans.

WHEREAS, The Pennsylvania and New Jersey Railroad Company have, under authority granted by law, projected and are about to construct their line of railroad to extend from a connection with the Connecting Railway near Frankford avenue and Butler street to and across the Delaware River, to connect with the lines of the United Railroads of New Jersey, in the State of New Jersey; and

WHEREAS, In the construction of said railroad as projected it is necessary that certain streets shall be crossed by bridging the same, and the said Railroad Company has at a large expenditure of money obtained rights-of way for said line through private property, so that there will be substantially no interference with the streets of the City of Philadelphia; therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Pennsylvania and New Jersey Railroad Company be, and it is hereby authorized to cross by overhead bridges the streets in the Twenty-fifth and

Twenty-third Wards lying between Frankford avenue and the Delaware River: *Provided*, That the structure for crossing said streets shall not interfere with the use of the same as public thoroughfares, and that the clear headway at each bridge shall not be less than fourteen (14) feet and that the plans for said bridges shall be filed with the Department of Public Works.

SECT. 2. That the said Pennsylvania and New Jersey Railroad Company shall agree to keep the said railroad when constructed in good order and condition, and to save the City of Philadelphia harmless, so far as the City may be liable, from any responsibility or liability whatever that may grow out of the use of the said railroad.

SECT. 3. The Department of Public Works be and is hereby authorized to revise the lines and grades of the streets on Plans Nos. 187, 55 and 305, over which the line of said Pennsylvania and New Jersey Railroad will pass, and that fifty (50) dollars be first paid in the City Treasury by said company for the printing of this ordinance.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To revise the grades of Twenty-second street, between the Philadelphia, Germantown and Norristown Railroad and Bellevue street, and also of all such adjacent streets as may be affected by the change.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be, and is hereby authorized to revise the grades of Twenty-second street, between the Philadelphia, Germantown and Norristown Railroad and Bellevue street, and all such other streets as may be affected by the said change, in such a manner as to give at least thirteen (13) feet clearance under the bridge on the line of the Philadelphia, Germantown and

Chestnut Hill Railroad: *Provided*, The City of Philadelphia be at no expense for said revision of grades: *Provided*, That the parties interested first file a satisfactory bond indemnifying the City against all damages or expense by reason of said revision.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To revise the lines and grades of Gates street, between Manayunk avenue and Ridge avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of Gates street, between Manayunk avenue and Ridge avenue, in such manner as to change the lines of the street to northwest side of Gorgas Park: *Provided*, That the owners of property affected shall first agree not to claim damages by reason of said revision.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To revise the lines and grades of streets on Plan No. 269.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Public Works be authorized to revise the lines and grades of streets on Plan 269, in the Twenty-seventh Ward: *Provided*, The Trustees of the University of Pennsylvania first file a satisfactory agreement not to claim any damages by reason of the changes authorized by this ordinance.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*



## AN ORDINANCE

To authorize the construction of sewers on American, Bancroft, Centre, Chubb, Emma, Fitzgerald, Fifty-second, Fourth, Gransback, Harrison, Henrietta, James, Locust, Lydia, Lowber, Lambert, Morris, Percy, Penn, Pine, Peach, Queen, Rementer, Sisty (or Nine-and-three-quarter), Tucker, Thirty-sixth, Twenty-fifth, Thirty-third, Walter, Wyalusing and Wood streets, and on Germantown, Midvale, Osage and Point Breeze avenues, Albion, Bodine, Dutton, Eighth, Kater, Manheim, Morton, Ritner, and Wakefield streets, and Willows and Wissahickon avenues.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Department of Public Works be and is hereby authorized to construct the following sewers, in accordance with plans and specifications to be approved by said Department, namely: American street (east side), from Jefferson to Oxford street; Bancroft street, from McKean to Snyder avenue; Centre street, from Thirty-eighth to Lowber street; Chubb street, from Enue street to 120 feet north; Emma street, from Berger to East Susquehanna avenue; Fitzgerald street, from Twelfth to Thirteenth street; Old Fifty-second street, from Lancaster avenue to New Fifty-second street at Warren street; Fourth street, from Jefferson street to Germantown avenue, and thence on Germantown avenue, Fourth to Oxford street; Gransback street, from Cambria to Clearfield street; Harrison street, from Franklin to Penn street; James street, from Ridge avenue to Cresson street; Locust street, from Forty-fourth to Forty-fifth street; Lydia street, from Fairmount avenue to Aspen street; Lowber street, from Centre to Filbert street; Lambert street, from Norris to Diamond street; Morris street, from Twentieth to Twenty-first street; Morris street, from Twenty-first to Point Breeze avenue; Percy street, from Thompson to Master street; Penn street (under the sidewalks) from Oxford road to Wakeling street; Pine street, from Forty-third to Forty-fifth street; Peach street, from Lansdowne avenue to Lancaster avenue; Queen street, from Wissahickon avenue to Twenty-ninth (or King) street, thence across private property to the Dobson's Run main sewer on Lincoln avenue; Rementer street, from Fayette street eastward; Sisty (or Nine-and-three-quarter) street, from Montgomery street southward; Tucker street,

from Memphis to Cedar street; Thirty-sixth street, from Fairmount avenue to Aspen street; Twenty-fifth street, from Thompson to Master street; Thirty-third street, from Gray's Ferry avenue to Reed street; Walter street, from Sixteenth to Seventeenth street, and from Eighteenth street eastward, and on Henrietta street from Twenty-first to Twenty second street; Wyalusing street, from Fifty-four-and-a-half to Fifty-fifth street; Wood street, from St. John to Third street; Midvale avenue, from Wissahickon avenue to a point 780 feet southwest; Osage avenue, from Forty-third to Forty-fifth street; and on Point Breeze avenue, from Wharton to Twenty-fourth street; Albion street, from Barker street southward; Bodine street, from York to Cumberland street; Dutton street, from Reed street to a point about 265 feet northward; Eighth street, from Tioga to Venango street; Kater street, from Twenty-second street to Gray's Ferry avenue; Manheim street, from Pulaski avenue to Morris street; Morton street, from Duval street to Washington lane; Ritner street, from Tenth to Eleventh street; Wakefield street, from Ashmead to Wister street; Willows avenue, from Fiftieth to Fifty-first street; Wissahickon avenue, from Midvale avenue to Dobson's run sewer in King street or Lincoln avenue.

SECT. 2. The Director of the Department of Public Works shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest responsible bidders; and it shall be a condition of said contract, that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Engineer and Surveyor to draw warrants for street intersections, manholes and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Public Works (Bureau of Surveys) to an amount not exceeding the sum of thirty-one thousand (\$31,000) dollars.

SECT. 3. The Director of the Department of Public Works shall not award contracts for the construction of any of the

sewers authorized by this ordinance until the streets are on the City plan, legally opened, and all the properties abutting thereon assessed to full city rates; *Provided, however,* That where properties are assessed at less than full city rates and the streets on the plan are opened, he may award contracts upon receipt of a duly executed agreement binding owners to pay the regular assessment charges.

SECT. 4. That the Mayor be authorized and requested to enter security on behalf of the City of Philadelphia to indemnify owners of private property through which the sewers across private property from Queen street to a connection with Dobson's Run main sewer will pass, against damages by reason of the construction of said sewer.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To regulate the removal of kitchen garbage, sweepings, combustible waste and offal.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That after the passage of this ordinance, it shall not be lawful for any person or persons, other than contractors with the City, to collect kitchen garbage or offal, without first having obtained a permit from the Board of Health; or for any person or persons to convey kitchen garbage or offal in any of the streets of the City, excepting in metal carts, water-tight, and securely covered, so that none of the contents shall fall, leak or spill therefrom, or be exposed to view.

SECT. 2. Any person or persons violating any of the provisions of this ordinance, shall be liable to arrest, and incur a fine of five (5) dollars for each offence committed, collectible by any magistrate of the City.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To approve the contract and surety of P. E. Costello, for the construction and completion of the Administration Building at the New County Prison, at Holmesburg, in the Thirty-fifth Ward, and the contract and surety of The Mills Construction Company, for the construction of a bridge on the line of Seventeenth street, under Connecting Railway, in the Twenty-eighth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of P. E. Costello for the construction and completion of the Administration Building at the New County Prison, at Holmesburg, in the Thirty-fifth Ward, be, and the same is hereby approved, and that the Tacony Saving Fund, Safe Deposit, Title and Trust Company be, and it is hereby approved as surety of the said P. E. Costello for the faithful performance of the said contract; and that the contract of The Mills Construction Company for the construction of a bridge on the line of Seventeenth street, under the Connecting Railroad, in the Twenty-eighth Ward, be, and the same is hereby approved, and that the City Trust, Safe Deposit and Surety Company be, and it is hereby approved as surety of the said The Mills Construction Company, for the faithful performance of the said contract.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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 AN ORDINANCE

To make an appropriation to Item 26 in the annual appropriation to the Inspectors of the County Prison for the year 1894, and to new Item 9, in the annual appropriation to the Department of City Treasurer for said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*. That the sum of ten thousand one hundred and seventy-two (10,172) dollars and ninety (90)

cents be, and the same is hereby appropriated to Item 26, for and toward the erection of the new County prison, in the annual appropriation to the Inspectors of the County prison for the year 1894.

SECT. 2. That the sum of fifty-two thousand two hundred and seventy-three (52,273) dollars and four (4) cents be, and the same is hereby appropriated to new Item 9 in the annual appropriation to the Department of City Treasurer for the year 1894, for the purpose of completing a settlement with the State, by which the Department will be at once enabled to collect the sum of nine hundred and six thousand six hundred and fifty-two (906,652) dollars and thirty-nine (39) cents for the use of the City.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To strike from the City plan the Park Boulevard, from the City Hall to Fairmount Park.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the Department of Public Works be authorized to strike from the City plan the Park Boulevard, from the City Hall to Fairmount Park.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To permit the West Hope Presbyterian Sunday school to erect a free ice water fountain on Preston street, south of Aspen street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission be hereby granted

to the West Hope Presbyterian Sunday school to erect a free ice water fountain on the west side of Preston street, about one hundred feet south of Aspen street. The said fountain shall be erected in accordance with plans to be approved by the Director of the Department of Public Works, and without cost to the City of Philadelphia for its erection or maintenance except for the water used, and shall be removed at any time on the passage of a resolution or ordinance to that effect.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To authorize Henry Disston & Sons, Incorporated, to lay a siding on Haydock street, to connect their factory with the tracks of the Philadelphia & Reading Railroad Company.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That authority be, and the same is hereby granted to Henry Disston & Sons, Incorporated, to lay a railroad siding or track on Haydock street, to connect their factory with the tracks of the Philadelphia & Reading Railroad Company: *Provided*, That no cars shall be permitted to stand on Haydock street, between Germantown avenue and the east side of Front street. The said siding or track to be laid under the supervision of the Department of Public Works, and shall be removed at any time upon the passage of an ordinance or resolution to that effect without notice. The said company shall, before proceeding with the work, first pay the sum of fifty (50) dollars into the City Treasury for printing this ordinance.

Approved the fourteenth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize certain transfers in the annual appropriations for the year 1894, to the Departments of Charities and Correction, Public Works, Public Safety, and Education, Commissioners for the Erection of the Public Buildings, Clerk of Court of Quarter Sessions, Inspectors of the County Prison, and Clerks of Councils.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is hereby authorized to make the following transfers in certain annual appropriations for the year 1894, viz: Department of Charities and Correction (Bureau of Correction): From Item 17, for powder, fuse, etc., one hundred and fifty-one (151) dollars and twenty (20) cents; from Item 18, for fuel for buildings and gas works, two hundred and twelve (212) dollars and sixty-three (63) cents; from Item 19, for lime, two hundred and forty seven (247) dollars and fourteen (14) cents; from Item 31, for boilers, cauldrons, etc., one hundred and eighty-nine (189) dollars and three (3) cents, in all eight hundred (800) dollars; to Item 3, for beef, mutton, veal, etc., eight hundred (800) dollars; Department of Public Works, (Bureau of City Ice Boats): From Item 1, for repairs and equipments of boats, one hundred (100) dollars; from Item 2, for fuel, twenty-nine (29) dollars and seventy-two (72) cents; from Item 3, for wages, eight hundred and eighty-six (886) dollars and fourteen (14) cents; from Item 4, for provisions, four hundred and sixty (460) dollars and nineteen (19) cents; from Item 6, for stationery, advertising, etc., eighty (80) dollars and eighty-five (85) cents. Bureau of Gas: From Item 1, for salaries, one thousand three hundred (1,300) dollars; from Item 6, for gas manufactured by the Philadelphia Gas Improvement Company, twenty-five thousand (25,000) dollars. Bureau of Highways: From Item 10, for insurance on bridges, twenty-five (25) dollars; from Item 19, for oil, coal, etc., one hundred (100) dollars; from Item 21½, for sprinkling Monument road and City avenue, two hundred and twenty (220) dollars; from Item 22, for stone and iron cross gutters, one thousand (1,000) dollars; from Item 23, for macadamizing roads, one hundred and thirty-six (136) dollars and seventy-five (75) cents; from Item 27, for opening waterways, etc., Twenty-seventh Ward, one thousand

two hundred and seventy-seven (1,277) dollars and sixty (60) cents. Bureau of Lighting: From Item 6, for gasoline lighting, two hundred and fifty (250) dollars. Bureau of Street Cleaning: From Item 4, for cleaning streets, inlets, etc., six hundred and seventy (670) dollars; from Item 5, for removing snow from the streets surrounding the new City Hall, seven thousand (7,000) dollars. Bureau of Surveys: From Item 1, for salaries, one thousand and twenty-two (1,022) dollars and forty-three (43) cents; from Item 3, for recording deeds of dedication, one hundred and eleven (111) dollars; from Item 8, for renewing plans and descriptions, ten (10) dollars; from Item 9, for rearranging indexes, ninety-five (95) dollars; from Item 10, for carriage hire and keep of horse, etc., four (4) dollars and twenty-three (23) cents. From Item 11, for the preparation of plans of the port of Philadelphia one hundred and sixty-two (162) dollars and seven (7) cents; from Item 29, for engineer and draughting corps, three hundred and eighty-five (385) dollars and twenty-seven (27) cents, in all forty thousand three hundred and twenty-six (40,326) dollars and twenty-five (25) cents. To the following items, Bureau of Gas: to Item 2, for wages twenty thousand (20,000) dollars. Bureau of Highways: to Item 5, for repairing, altering and extending sewers and inlets, eight hundred and nine (809) dollars and thirty-five (35) cents; to Item 20, for inspectors, at the rate of seventy-five (75) dollars per month, when actually employed, one thousand nine hundred and fifty (1,950) dollars; to Item 21, for emergencies, seven hundred and seventy-six (776) dollars and ninety (90) cents. Bureau of Surveys: to Item 2, for stationery, record books, etc., one thousand two hundred (1,200) dollars; to Item 3, for incidental expenses, five hundred and ninety (590) dollars. Bureau of Water: to Item 2, for coal, fifteen thousand (15,000) dollars. Department of Public Safety (Bureau of Police): from Item 1, for salaries, eleven thousand (11,000) dollars, from Item 3, for miscellaneous expenses, one thousand (1,000) dollars. Bureau of Fire: from Item 1, for salaries, seven thousand two hundred and ninety-eight (7,298) dollars and forty-seven (47) cents. Electrical Bureau: from Item 17, for new electric lights, seven thousand four hundred and eighty-eight (7,488) dollars and twenty-two (22) cents; from Item 18, underground electric-service (Christian street) two thousand (2,000) dollars; Bureau of City Property: from Item 10, for rent four hundred



(400) dollars; from Item 17, for gas, etc., seven hundred (700) dollars; from Item 21, improved pavements, five hundred (500) dollars; from Item 31, for erection fire station Twenty-second Ward, four hundred and forty (440) dollars; Bureau of Health: from Item 8, repairs, etc., two hundred and eleven (211) dollars and seventy-eight (78) cents; making in all thirty-one thousand and thirty-eight (31,038) dollars and forty-seven (47) cents. To the following items, Bureau of Police: To Item 2, for cleaning station houses, etc., three hundred (300) dollars; to Item 6, for placing street names, etc., four hundred (400) dollars; to Item 8, for incidentals, one hundred and fifty (150) dollars; to Item 11, for arrest and conviction, etc., one hundred and twenty-five (125) dollars; to Item 14, for repairs to boats, etc., three hundred and fifty (350) dollars; to Item 16, for horses, seventeen (17) dollars; to Item 18, for straw, etc., one thousand (1,000) dollars. Bureau of Fire: To Item 3, for straw, feed, etc., seven hundred (700) dollars; to Item 4, for repairs, etc., two hundred (200) dollars; to Item 17, for new apparatus, sixteen thousand nine hundred (16,900) dollars; to Item 18, for bedding and furniture, fourteen hundred (1400) dollars; to Item 20, to pay bill (for hardware) 1893, one hundred and thirty-one (131) dollars and forty-seven (47) cents: Electrical Bureau. To Item 7, For stationery, etc., five hundred (500) dollars; to Item 13, for cables, etc., five thousand (5,000) dollars. Bureau of Health: To Item 4, for postage and miscellaneous, etc., one hundred (100) dollars; to Item 10, for board and washing, etc., twelve hundred (1,200) dollars; to Item 11, for clothing, bedding, etc., four hundred (400) dollars; to Item 12, for fuel, etc., two hundred and fifty (250) dollars. Bureau of City Property. To Item 6, for labor, etc., squares, eight hundred (800) dollars; to Item 7, for cleaning cesspools, one hundred and fifteen (115) dollars; to Item 19, for repairs, etc. one thousand (1,000) dollars. Board of Public Education: From Item 1, for salaries, six hundred (600) dollars; from Item 10, for cleaning school houses, five hundred (500) dollars; from Item 19, for fuel, fifteen hundred (1,500) dollars; from Item 24, for insurance, twenty-two hundred (2,200) dollars; from Item 35, for putting wire screens on the windows, etc., fourteen hundred (1,400) dollars; total, sixty-two hundred (6,200) dollars. To the following items: To Item 11, for general repairs, etc., thirteen hundred and thirty-four (1,334) dollars; to Item 20, for books and stationery, two thousand

(2,000) dollars; to Item 25, for printing annual report, etc., two thousand (2,000) dollars; to Item 26, for salaries of officers, etc., (temporary help) one hundred and sixty-six (166) dollars; to Item 27, for advertising, two hundred (200) dollars; to Item 31, for postage stamps, two hundred (200) dollars; to Item 33, for blank books, etc., three hundred (300) dollars. Commissioners for the Erection of the Public Buildings: From Item 6, hauling ashes, one thousand (1,000) dollars; from Item 8, hardware, etc., eight hundred and fifty (850) dollars; from Item 9, painting and glazing, five hundred (500) dollars; from Item 10, marble and marble work, eight hundred (800) dollars; from Item 12, incidentals, materials, etc., eight thousand (8,000) dollars; from Item 19, electric lighting, coal, etc., two thousand (2,000) dollars; from Item 19, electric lighting, repairs, etc., three thousand five hundred (3,500) dollars; from Item 20, plastering, five hundred (500) dollars; from Item 25, tiles and tiling, three thousand five hundred (3,500) dollars—in all, twenty thousand six hundred and fifty (20,650) dollars—to the following items, viz: To Item 2, stationery, printing, advertising, and architects' supplies, one hundred and fifty (150) dollars; to Item 4, incidentals, cast and wrought iron work, etc., one thousand two hundred (1,200) dollars; to Item 11, dressed stone, inside finish, etc., nine thousand four hundred and eighty-five (9,485) dollars; to Item 13, cement, one thousand nine hundred and sixty-five (1,965) dollars; to Item 16, vulcanite paving, asphalt flooring, one hundred and fifty (150) dollars; to Item 18, elevator supplies, and repairs, one hundred (100) dollars; and to Item 23, granite work, seven thousand six hundred (7,600) dollars. Clerk of the Court of Quarter Sessions: From Item 5, for pay for services of extra clerks, two hundred (200) dollars, to Item 2, for blank books, etc. Inspectors of the County Prison: From Item 20, for overwork of prisoners, seventy-one (71) dollars and two (2) cents, to Item 48, for support of one hundred feeble minded children, in the annual appropriation to the Department of Charities and Correction (Bureau of Charities). Department of Public Safety (Electrical Bureau): From Item 11, for rent of telephones, five hundred (500) dollars; from Item 17, for extensions new electric lights, one thousand (1,000) dollars; from Item 18, for underground electric service, one thousand (1,000) dollars. Building Inspectors: From Item 5, for incidental ex-

penses of office, three thousand (3,000) dollars. Board of Education: From Item 51, for additional and improved fire escapes, three thousand four hundred and eighty-five (3,485) dollars. Department of Public Works, Bureau of Gas: From Item 6, for gas manufactured by the Philadelphia Gas Improvement Co., five thousand (5,000) dollars, in all thirteen thousand nine hundred and eighty-five (13,985) dollars to the following items, viz. City Commissioners: To Item 2, to pay jurors, etc., eight thousand (8,000) dollars. Department of Public Safety, Bureau of Fire: To new Item 18 $\frac{1}{2}$ , for the relief of Jane Hart, widow of Joseph W. Hart, fireman, who died July 7, 1894, from injuries received at a fire, 115 South Water street, on the twentieth day of June, 1894, one thousand (1,000) dollars; for the relief of the parents of George H. Dickel, who was killed at the fire at Randolph and Jefferson streets, August 2, 1894, one thousand (1,000) dollars; total, two thousand (2,000) dollars. Electrical Bureau: To Item 16 $\frac{3}{4}$ , for the erection and maintenance of electric lights in the Thirty-fifth Ward, two hundred and fifty (250) dollars; Clerks of Councils: To Item 2, for printing journal, etc., one thousand two hundred and thirty-five (1,235) dollars: *Provided*, This item shall not merge, December 31, 1894; to Item 7, for incidentals and repairs, two thousand five hundred (2,500) dollars: *Provided*, this item shall not merge, December 31, 1894.

Approved the twenty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to Item 4, in the annual appropriation to the Department of City Treasurer for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of eighty thousand eight hundred and thirty (80,830) dollars and six (6) cents be, and the same is hereby appropriated to Item 4 as follows:

For the payment of six months interest, due December 31, on four million six hundred and eighty-four thousand (4,684,000)

dollars,  $3\frac{1}{2}$  per cent. loan, the sum of eighty thousand five hundred and ninety-five (80,595) dollars and thirty-two (32) cents, and sixteen thousand (16,000) dollars, 3 per cent. loan, the sum of two hundred and thirty-four (234) dollars and seventy-four (74) cents, in the annual appropriation to the Department of City Treasurer for the year 1894.

Approved the twenty-fourth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Department of City Treasurer, in excess of the unexpended balance, to pay to the Commonwealth the amount assessed for State Tax on outstanding loans of the City of Philadelphia, and to pay interest on refunding loan of two million seven hundred and twenty thousand (2,720,000) dollars.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of seven thousand five hundred and ninety-nine (7,599) dollars and sixteen (16) cents be, and the same is hereby appropriated to the Department of City Treasurer, as follows: To pay to the Commonwealth the amount assessed for State tax on outstanding loans of the City of Philadelphia for the year 1894, five thousand five hundred and twelve (5,512) dollars and fifty-eight (58) cents; to pay interest falling due January 1st, 1895, on the refunding loan of two million seven hundred and twenty thousand (2,720,000) dollars, the sum of two thousand and eighty-six (2,086) dollars and fifty-eight (58) cents, the last named sum to be taken from the money paid as premium on the said loan.

Approved the twenty-fourth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To condemn for school purposes the lot of ground at the northwest corner of Thirteenth and Thompson streets in the Twentieth Ward.

WHEREAS, The Board of Public Education and the owners of the lot of ground on the northwest corner of Thirteenth and Thompson street, one hundred and fifty (150) feet on Thompson street, one hundred and twenty (120) feet on Thirteenth street, and one hundred and twenty (120) feet on Park avenue, have failed to agree upon a price to be paid for the same; therefore

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the said property as hereinabove described be, and the same is hereby, taken and condemned by the City of Philadelphia for school purposes, under the provisions of Act of Assembly for that case made and provided, and the Board of Public Education is hereby directed to enter upon and occupy said ground; *Provided*, That the Mayor be, and is hereby, authorized and directed to file good and sufficient bond to indemnify the property owner or owners of the ground when taken and condemned as above described.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Commissioners for the Erection of the Public Buildings, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of seven hundred and fifty-six thousand (756,000) dollars be, and the same is, hereby appropriated to the Commissioners for the Erection of the Public Buildings, for the purposes of the Commission, during the year 1895, viz.:

Item 1. Salaries:—For salary of architect, four thousand (4,000) dollars; superintendent, three thousand (3,000) dol-

lars ; secretary, two thousand seven hundred and fifty (2,750) dollars ; solicitor, nine hundred (900) dollars ; clerk and messenger, one thousand two hundred (1,200) dollars ; clerk, one thousand two hundred (1,200) dollars ; superintendent of warming and ventilating, two thousand (2,000) dollars ; superintendent's clerk, one thousand five hundred (1,500) dollars ; one architect's draughtsman, one thousand eight hundred (1,800) dollars ; one architect's draughtsman, one thousand and eighty (1,080) dollars ; one architect's draughtsman, seven hundred and twenty (720) dollars.

Mechanics and Laborers :—Carpenter (foreman), three (3) dollars and fifty (50) cents per diem ; carpenters, two (2) dollars and fifty (50) cents per diem ; timekeeper, three (3) dollars per diem ; receiver, three (3) dollars per diem ; painter (foreman, three (3) dollars and fifty (50) cents per diem ; painters, two (2) dollars and fifty (50) cents per diem ; laborer (foreman), three (3) dollars and twenty-five (25) cents per diem ; laborer (assistant foreman), two (2) dollars and seventy-five (75) cents per diem ; rigger, two (2) dollars and seventy-five (75) cents per diem ; laborers (skilled), two (2) dollars per diem ; laborers, one (1) dollar and seventy-five (75) cents per diem ; guides, two (2) dollars and fifty (50) cents per diem ; janitresses, one (1) dollar and fifty (50) cents per diem ; janitresses, one (1) dollar and twenty-five (25) cents per diem ; captain, night watch, three (3) dollars and (50) cents per diem ; captain, day watch, three (3) dollars and twenty-five (25) cents per diem ; night watchman, two (2) dollars per diem ; night watchmen, one (1) dollar and seventy-five (75) cents per diem ; janitors, court-yard toilet rooms, one (1) dollar and seventy-five (75) cents per diem ; day watchmen, one (1) dollar and seventy-five (75) cents per diem.

Heating and Ventilating Department :—For wages of engineers, three (3) dollars per diem ; pumpmen, two (2) dollars and seventy-five (75) cents per diem ; firemen, two (2) dollars and twenty-five (25) cents per diem ; steam-fitters, three (3) dollars per diem ; steam-fitters' helpers, two (2) dollars per diem.

Elevator Service :—For wages of foreman, four (4) dollars per diem ; elevator men, two (2) dollars per diem.

Electric Light Department :—For wages of electrician, five (5) dollars per diem ; engineers, three (3) dollars per diem ;

trimmer, two (2) dollars and seventy-five (75) cents per diem ; firemen, two (2) dollars and twenty-five (25) cents per diem ; Dynamo men, two (2) dollars and fifty (50) cents per diem.

Plumbing and Gas Fitting Department:—For wages of foreman, five (5) dollars per diem ; plumbers, three (3) dollars and fifty (50) cents per diem ; gas fitters, three (3) dollars per diem ; helpers, two (2) dollars per diem.

Bricklayers:—For wages of foreman, five (5) dollars per diem ; bricklayers, four (4) dollars and five (5) cents per diem ; hod-carriers, two (2) dollars and fifty (50) cents per diem ; bricklayers' laborers, two (2) dollars per diem.

Stone Cutters:—For wages of stone cutters, three (3) dollars and fifty (50) cents per diem ; stone cutters' laborers, two (2) dollars per diem ; total, two hundred thousand (200,000) dollars.

Item 2. For stationery, printing, advertising and architect's supplies, one thousand two hundred (1,200) dollars.

Item 3. For bricks and brick work, hard bricks, hollow bricks, hollow partition blocks and floor arches, ten thousand (10,000) dollars.

Item 4. For incidental cast and wrought iron work:—Reinforcing of tower, and various floors and girders ; corrugated floors to rostrums, all court rooms ; iron partitions ; replacing skylights over elevator ways ; elevator enclosures for northeast and southwest corners ; various door and window trims, and rolled sections, sixty-eight thousand (68,000) dollars.

Item 5. For carpenter and mill work:—New frames and sash, fifth floor windows ; removing and relocating Recorder of Deeds, ten thousand five hundred and seventy-six (10,576) dollars.

Item 6. For hauling ashes and rubbish, three thousand (3,000) dollars.

Item 7. For lumber, two thousand (2,000) dollars.

Item 8. For hardware supplies, four thousand (4,000) dollars.

Item 9. For painting and glazing, five thousand two hundred and twenty-four (5,224) dollars.

Item 10. For marble and marble work:—Changing fifth floor windows (in all 44), forty-four thousand (44,000) dollars.

Item 11. For dressed stone work, inside finish:—North corridor, restoration to present work; granite base in rooms; uncompleted contracts, interior of tower (1894), twenty-three thousand five hundred (23,500) dollars.

Item 12. For incidental materials and furnishings, seven thousand five hundred (7,500) dollars.

Item 13. For cement, three thousand (3,000) dollars.

Item 14. For furnishing rooms: Common Pleas and Orphans' Court rooms; sheriff's offices; sundry supplies and repairs; combination gas and electric fixtures in clerks' rooms of Orphans' Courts and Councils' rooms; committee rooms of Councils; corridors, second, third, fourth and fifth stories; and lustre in ceiling of Councils' conversation room, fourth floor, sixty thousand five hundred (60,500) dollars.

Item 15. For Heating and ventilating extensions, five thousand (5,000) dollars; coal, thirty thousand (30,000) dollars; oil and supplies, one thousand (1,000) dollars; total, thirty-six thousand (36,000) dollars.

Item 16. For vulcanite paving, asphalt flooring, five thousand (5,000) dollars.

Item 17. For copper work:—New copper work on main roof and repairs to gutters, one thousand five hundred (1,500) dollars.

Item 18. For elevators:—Supplies and repairs, three thousand (3,000) dollars.

Item 19. For electric lighting, coal, ten thousand (10,000) dollars; extensions, renewals, supplies, telephone, installation of electric light wiring; introduction of mains from the street for electric current for lighting new Councils' Chambers, Committee rooms and Courts, thirty-nine thousand (39,000) dollars; total, forty-nine thousand (49,000) dollars.

Item 20. For plastering, new work, patching around elevators hatches and sundry repairs, uncompleted contracts, mackite blocks, fifteen thousand (15,000) dollars.

Item 21. For plumbing and gas fitting, ten thousand (10,000) dollars.

Item 22. For bronze work:—Railings on stairs and at windows of the corner pavilions, also railings to areas on the exterior facades, five hundred (500) dollars.



Item 23. For granite work, uncompleted contract (days' work) for the reinforcing of arches east and west side of the court yard; pointing joints and incidental repairs, six thousand five hundred (6,500) dollars.

Item 24. For water supply, one thousand (1,000) dollars.

Item 25. For tiles and tiling, sundry new work, uncompleted contracts, renewals, ten thousand (10,000) dollars.

Item 26. For metal work on tower, reinforcing metal work done in 1894, twenty thousand (20,000) dollars.

Item 27. For fitting up rooms, as follows:—Coroner; Charities and Correction; Clerk's Main Office; Orphans' Court; City Solicitor; Civil Service Board, and law library, one hundred and five thousand (105,000) dollars. For furniture for Select and Common Councils' Chambers; Finance Committee room and toilet rooms, forty-five thousand (45,000) dollars. For alterations in office of Register of Wills, one thousand (1,000) dollars. For expenses and prizes of a competitive contest for designs for two or more mural paintings for the new City Hall, contest to be open to all American artists, and prizes to be awarded by a jury of experts to the most meritorious designs, five thousand (5,000) dollars, total one hundred and fifty-six thousand (156,000) dollars.

And balances at the end of the year 1895 shall not merge.

*Provided*, That the Select and Common Council Chambers shall be furnished out of this appropriation.

*Provided*, That all work and materials necessary for the completion and furnishing of the buildings shall be advertised for not less than three times in three daily newspapers of this City, and that all bids for the same be opened and contracts awarded at the regular or special meetings of the Commission to the lowest and best bidder.

All warrants shall be drawn by the Commissioners for the erection of the Public Buildings in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to Item 39½, in the annual appropriation to the Board of Public Education for the year 1894, towards the support of the Teachers' Institute, Philadelphia School of Design for Women, and the Teachers' Annuity and Aid Association of Philadelphia, in accordance with Act of Assembly, June 6, 1893.

WHEREAS, The Act of Assembly of June 6, 1893, provides that the City of Philadelphia shall pay out of the sum of money received from the Commonwealth towards the support of the public schools of the City, there shall be paid the sum of three thousand (3,000) dollars to the Teachers' Institute; three thousand (3,000) dollars to the Philadelphia School of Design for Women, and ten thousand (10,000) dollars to the Teachers Annuity and Aid Association of said City; and

WHEREAS, It is necessary to appropriate this amount before the City can receive her share of the money toward the support of the public schools, therefore

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixteen thousand (16,000) dollars be, and the same is hereby appropriated to Item 39½, in the annual appropriation to the Board of Public Education, for the year 1894, as follows: To the Teachers' Institute, the sum of three thousand (3,000) dollars; to the Philadelphia School of Design for Women, the sum of three thousand (3,000) dollars, and to the Teachers Annuity and Aid Association of Philadelphia, the sum of ten thousand (10,000) dollars. Warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Department of City Treasurer for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of four million two

hundred and thirty thousand seven hundred and thirty-six (4,230,736) dollars and thirty-three (33) cents be, and the same is hereby appropriated to the Department of City Treasurer for the year 1895.

*General Expenses.*

Item 1. For salaries: City Treasurer (fixed by Act of Assembly), ten thousand (10,000) dollars; chief clerk, two thousand five hundred (2,500) dollars; receiving teller, two thousand (2,000) dollars; first assistant receiving teller, one thousand eight hundred (1,800) dollars; second assistant receiving teller, one thousand two hundred (1,200) dollars; paying teller, two thousand (2,000) dollars; first assistant paying teller, one thousand four hundred (1,400) dollars; second assistant paying teller, one thousand one hundred (1,100) dollars; bookkeeper, one thousand eight hundred (1,800) dollars; assistant bookkeeper, one thousand (1,000) dollars; warrant clerk, one thousand five hundred (1,500) dollars; two assistant warrant clerks, two thousand (2,000) dollars; state clerk, one thousand five hundred (1,500) dollars; three assistant state clerks, three thousand (3,000) dollars; miscellaneous clerk, one thousand (1,000) dollars; watchman, eight hundred (800) dollars; messenger one thousand (1,000) dollars; watchman, eight hundred (800) dollars; extra watchman, one hundred and fifty (150) dollars; janitress, three hundred (300) dollars; total, thirty-six thousand eight hundred and fifty (36,850) dollars.

Item 2. For incidental expenses, six hundred and fifty (650) dollars.

Item 3. For printing, binding, blank books and stationery, eight hundred (800) dollars.

*Interest on Funded Debt, State Tax on Loans.*

Item 4. For interest, due May 1, 1895, sixty-nine thousand (69,000) dollars; due July 1, 1895, one million two hundred and seventy-six thousand nine hundred and seventeen (1,276,917) dollars; due November 1, 1895, sixty-nine thousand (69,000) dollars; due January 1, 1896, one million two hundred and fifty-eight thousand nine hundred and twenty-six (1,258,926) dollars; State tax on City loans, one

hundred and five thousand (105,000) dollars ; total, two million seven hundred and seventy-eight thousand eight hundred and forty-three (2,778,843) dollars.

Item 5. For sixteenth series of four per cent. Loan Series P, December 31, 1895, four hundred thousand (400,000) dollars.

Item 6. For payment of temporary loan, authorized by ordinance approved May 31, 1894, five hundred thousand (500,000) dollars, and interest three thousand three hundred and thirty-three (3,333) dollars and thirty-three (33) cents ; total, five hundred and three thousand three hundred and thirty-three (503,333) dollars and thirty-three (33) cents.

Item 7. To pay to the Teachers Aid and Annuity Association of Philadelphia, ten thousand (10,000) dollars ; Teachers Institute of Philadelphia, three thousand (3,000) dollars, and School of Design for Women, three thousand (3,000) dollars : total, sixteen thousand (16,000) dollars : *Provided*, Said sums shall have been received from the Commonwealth of Pennsylvania, under the terms of the annual appropriation to the public schools

Item 8. For estimated interest on such new loans as may be issued during the year 1895, seventy-five thousand (75,000) dollars.

#### *Sinking Fund.*

Item 9. For Sinking Fund, School, No. 2, twelve thousand (12,000) dollars ; Defence, No. 4, three thousand six hundred (3,600) dollars ; Water, No. 2, twelve thousand (12,000) dollars ; Loan, No. 33, twelve thousand (12,000) dollars ; Loan, No. 34, twenty-one thousand six hundred (21,600) dollars ; Culvert, No. 2, nine thousand six hundred (9,600) dollars ; Park, No. 1, forty-eight thousand (48,000) dollars ; Loan, No. 35, nineteen thousand six hundred and eighty (19,680) dollars ; Gas Loan, No. 5, twenty thousand (20,000) dollars ; Gas Loan, No. 6, twenty thousand (20,000) dollars ; Loan, No. 37, twelve thousand (12,000) dollars ; Loan No. 38, twelve thousand (12,000) dollars ; Park, No. 2, twenty-four thousand (24,000) dollars ; Loan, No. 44, eight thousand four hundred (8,400) dollars ; School, No. 3, six thousand (6,000) dollars ; Loan, No. 45, six thousand (6,000) dollars ; Loan, No. 46, twenty-five thousand four hundred and sixty-four (25,464) dollars ; Gas Loan, No. 7, ten thousand (10,000)

dollars; Loan, No. 48, five thousand one hundred (5,100) dollars; Loan, No. 49, two thousand four hundred (2,400) dollars; Loan, No. 50, twelve thousand (12,000) dollars; Loan, No. 51, twenty-five thousand six hundred and fifty-six (25,656) dollars; Park, No. 3, twenty-one thousand six hundred (21,600) dollars; Loan, No. 53, two thousand four hundred (2,400) dollars; Loan, No. 54, eleven thousand six hundred and forty (11,640) dollars; Loan, No. 55, six thousand (6,000) dollars, Loan, No. 56, two thousand seven hundred (2,700) dollars; Loan, No. 57, five thousand four hundred (5,400) dollars; Loan, No. 58, twelve thousand (12,000) dollars; Gas Loan, No. 8, twenty thousand (20,000) dollars; Loan, No. 60, four thousand and twenty (4,020) dollars; Loan, No. 61, six thousand (6,000) dollars; total, four hundred and nineteen thousand two hundred and sixty (419,260) dollars.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Department of City Controller, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixty-four thousand one hundred and twenty-five (64,125) dollars be, and the same is hereby appropriated to the Department of City Controller for the year 1895.

Item 1. For salaries: City Controller (fixed by Act of Assembly), eight thousand (8,000) dollars; chief clerk, two thousand five hundred (2,500) dollars; chief auditor, two thousand five hundred (2,500) dollars; bookkeeper, one thousand eight hundred (1,800) dollars; general auditor, one thousand five hundred (1,500) dollars; seven department auditors, one thousand three hundred and fifty (1,350) dollars each; seven tax auditors, one thousand two hundred (1,200) dollars each; four water auditors, one thousand two

hundred (1,200) dollars each; three registers of bills, one thousand two hundred (1,200) dollars each; miscellaneous clerk, return clerk, and warrant and delivery clerk, one thousand two hundred (1,200) dollars each; register of warrants, one thousand one hundred (1,100) dollars; six gas auditors, one thousand (1,000) dollars each; assistant warrant, delivery and miscellaneous clerk, one thousand (1,000) dollars; typewriter and delinquent clerk, one thousand (1,000) dollars; Farmers' and Mechanics' National Bank clerk, nine hundred (900) dollars; custodian of records, nine hundred (900) dollars; messenger, eight hundred (800) dollars; two janitors, three hundred (300) dollars each; total, fifty-eight thousand four hundred and fifty (58,450) dollars.

Item 2. For printing the annual report of the City Controller, for the year 1894, and preparing the annual statement for the Finance Committee, six hundred and fifty (650) dollars

Item 3. For printing City warrants for the several departments, two thousand three hundred and twenty-five (2,325) dollars: *Provided*, That the City Controller shall not be required to advertise for the printing and binding of warrants.

Item 4. For books, stationery, printing, and incidentals, two thousand (2,000) dollars.

Item 5. For preparing registers of delinquent taxes and binding records, seven hundred (700) dollars.

And warrants shall be drawn in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Department of City Commissioners for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of nine hundred

and twelve thousand eight hundred (912,800) dollars be, and the same is hereby appropriated to the Department of City Commissioners for the year 1895.

Item 1. To pay four (4) officers of the Supreme Court, thirty-four (34) officers of the Courts of Common Pleas Nos. 1, 2, 3, 4, twelve (12) officers of the Orphans' Court, thirty (30) officers of the Courts of Quarter Sessions at four (4) dollars per diem, one hundred thousand one hundred and sixty (100,160) dollars.

Item 2. To pay jurors of the Courts of Common Pleas Nos. 1, 2, 3, 4, jurors of the Courts of Quarter Sessions and grand jurors, one hundred thousand (100,000) dollars.

Item 3. To pay road jurors, fifteen thousand (15,000) dollars.

Item 4. To pay witness fees, five thousand (5,000) dollars.

Item 5. To pay interpreter for the courts, jurors, etc., one thousand five hundred (1,500) dollars.

Item 6. To pay meals for jurors, five hundred (500) dollars.

Item 7. To pay clerk for board of jurors, one thousand four hundred (1,400) dollars.

Item 8. To pay coach hire for grand jury, five hundred (500) dollars.

Item 9. To pay miscellaneous expenses of the several courts, eight hundred (800) dollars.

Item 10. To pay State Hospital for the Insane, South-eastern District of Pennsylvania, one hundred and forty-five thousand (145,000) dollars.

Item 11. To pay for keep of prisoners of Philadelphia in the Eastern Penitentiary, twenty-five thousand (25,000) dollars.

Item 12. To pay managers toward the expenses of the House of Refuge, ninety-three thousand (93,000) dollars.

Item 13. To pay officers of the elections for the year 1895, sixty-four thousand four hundred (64,400) dollars.

Item 14. To pay clerks and messengers for computing election returns for the year 1895, two thousand (2,000) dollars.

Item 15. To furnishing stationery, books, blanks, cards of instructions to election officers and sample tickets to voters, assessors' books for two assessments, one in May and one in December, printing and binding election tickets for each elec-

tion division to be used for voting, to pay overseers of the elections, light and fuel for booths and miscellaneous expenses, fifty thousand (50,000) dollars: *Provided*, That instead of advertising, the Commissioners shall receive written proposals from not less than three (3) responsible parties for the printing of election tickets and all necessary election papers: *Provided further*, That work for printing shall only be awarded to contractors who pay the recognized rate of wages adopted by the Typographical Union.

Item 16. To pay assessors for the year 1895, seventy-five thousand nine hundred (75,900) dollars.

Item 17. To pay for burial of indigent soldiers, sailors and marines, authorized by Act of Assembly, May 12, 1885, seven thousand (7,000) dollars.

Item 18. To pay for printing assessor's lists for the year 1895, eighteen thousand four hundred (18,400) dollars: *Provided*. Only one set of lists shall be printed in September and one set in December: *Provided, also*, The bids to be advertised for in three wards at a time, and that no bid be received or contract be awarded to any person, either directly or indirectly, for more than as above provided, and the contract shall be awarded to the lowest bidder: *Provided, further*, That the contractor or contractors be required to do the work in the City of Philadelphia, and properly complete the same within twelve days—the first wards in four days, the second wards in eight days, and the last in twelve days: *Provided, further*, That the contract shall only be awarded to contractors who pay the recognized rate of wages adopted by the Typographical Union.

Item 19. To pay for posting assessors' lists, three hundred and fifty (350) dollars.

Item 20. To pay for rent of rooms in which elections are held, forty-six thousand (46,000) dollars. The proprietor required to put up, take down and store on premises the material required under the Ballot Reform Bill.

Item 21. To pay for posting, advertising, printing, cleansing office, and miscellaneous expenses, one thousand (1,000) dollars.

Item 22. To pay magistrates for the year 1895, eighty-four thousand (84,000) dollars.



Item 23. To pay City Commissioners, five thousand (5,000) dollars each, fifteen thousand (15,000) dollars.

Item 24. To pay Chief Clerk, two thousand five hundred (2,500) dollars; two assistant clerks, one thousand two hundred (1,200) dollars each. Total, four thousand nine hundred (4,900) dollars.

Item 25. To pay messenger, one thousand two hundred and fifty (1,250) dollars; miscellaneous clerk, eight hundred and forty (840) dollars. Total, two thousand and ninety (2,090) dollars.

Item 26. To pay extra help for the year 1895, seven thousand (7,000) dollars.

Item 27. To pay Pennsylvania State Lunatic Hospital at Harrisburg, four hundred (400) dollars.

Item 28. To pay Pennsylvania Society for the Prevention of Cruelty to Animals, three thousand (3,000) dollars.

Item 29. To pay State Hospital for the Insane at Danville eight hundred (800) dollars.

Item 30. To pay Pennsylvania Reformatory at Huntingdon eighteen thousand five hundred (18,500) dollars.

Item 31. To pay for the support and maintenance of companies of the National Guards using and occupying an armory, rooms or quarters within the City of Philadelphia, five hundred (500) dollars for each company. Total, eighteen thousand five hundred (18,500) dollars: *Provided*, That the City Controller shall countersign no warrants drawn on this item in favor of the commanding officer of any company, unless it shall be certified to the City Controller by the Adjutant-General of the State, and the said company has satisfactorily passed the annual inspection provided by law, and also certified by the commanding officer of each company that the moneys appropriated in said item for said company have been used and expended solely and exclusively for the support and maintenance, discipline and training of said company, for which he shall account by proper vouchers to the said City Controller: *Provided, also*, That no appropriation shall be made for any subsequent year until the expenditure of the previous year has been duly and satisfactorily accounted for.

Item 32. To pay conveyance, etc., for prisoners to Huntingdon Reformatory, and insane persons to State Hospitals

for the Insane at Norristown, Danville, and Harrisburg, one thousand six hundred (1,600) dollars.

Item 33. To taking down, putting up twice a year, election booths, and storing, insuring, painting the same and miscellaneous expenses, six hundred (600) dollars: *Provided*, That instead of advertising the Commissioners shall receive written proposals from not less than three (3) responsible parties.

Item 34. To pay for incurables at Wernersville, three thousand five hundred (3,500) dollars.

*Provided*, The Controller may countersign warrants on Items 2, 4, 10, 11, 12, 17, 27, 28, 29, 30 and 34 for the year 1894.

*Provided*, That the City Commissioners shall draw no warrants for the pay of assessors or election officers in any division unless said assessors or election officers shall have returned the election laws, bibles, and press in good order to the office of said Commissioners; and the Controller shall countersign no warrants for rent of room until he is satisfied that it is for the actual occupant of the premises at the time of the election: *Provided also*, That the said Commissioners shall prepare, under the supervision of the Committee on Finance, suitable specifications for all stationery, paper, printing, binding, fuel, advertising, supplies, work, and the materials required; and the said Commissioners shall advertise in the month of January for proposals for furnishing said supplies, and the contract shall be awarded in accordance with an ordinance entitled "An Ordinance to regulate the reception of bids and awarding of contracts," approved December 26, 1882.

And warrants shall be drawn by the City Commissioners in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Clerks of Councils for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of fifty thousand eight hundred and sixty (50,860) dollars be, and the same is hereby appropriated to the Clerks of Councils for the year 1895.

Item 1. For salaries: Chief clerk of Select Council, three thousand (3,000) dollars per annum; chief clerk of Common Council, three thousand (3,000) dollars per annum; assistant clerk of Select Council and index clerk, two thousand five hundred (2,500) dollars per annum; assistant clerk and journal clerk of Common Council, two thousand five hundred (2,500) dollars per annum; assistant journal clerk and index clerk of Common Council, two thousand (2,000) dollars per annum; secretary of Finance Committee, eighteen hundred (1,800) dollars per annum; committee clerk of Common Council (Highways and Surveys), one thousand six hundred (1,600) dollars per annum; sergeant-at-arms of Select and Common Council, one thousand five hundred (1,500) dollars each per annum; Sergeant-at-arms of Finance Committee, one hundred (100) dollars per annum; total, nineteen thousand five hundred (19,500) dollars per annum.

Item 2. For printing journals and other documents, ten thousand (10,000) dollars: *Provided*, That none of the annual reports of the several departments, except the Controller's report, shall be printed in the Appendix to the Journals of Councils: *Provided*, That the bid for the printing of the Journal and Appendix of Common Council, and the approved ordinances and other printing required by Common Council shall be advertised for, and the contract awarded separately from that for the Journal and Appendix and other printing required by Select Council, and that no bid shall be entertained nor shall any contract be awarded for the Select Council printing to the parties who have obtained the contract for that of Common Council: *Provided further*, That work for printing shall only be awarded to contractors who pay the recognized rate of wages adopted by the Typographical Union.

Item 3. For binding journals, ordinances, and other documents, one thousand five hundred (1,500) dollars: *Provided*, That the binding of the annual message of the Mayor of the City and the annual reports of the respective departments shall not be paid for out of this item.

Item 4. For advertising, printing notices and amendments, five hundred (500) dollars.

Item 5. For stationery, twenty-five hundred (2,500) dollars.

Item 6. For carriage hire, one thousand seven hundred (1,700) dollars: *Provided*, That the Controller shall countersign no warrant drawn on this item until furnished with the bill, approved by the chairman and two members of the committee, for whose use the carriages were provided: *Provided*, That instead of advertising, the Clerks of Councils shall invite written proposals from not less than three (3) responsible parties, having at least ten (10) first-class carriages of their own, and the contract shall be awarded to the lowest bidder, in accordance with existing ordinances, subject to the approval of the Committee on Finance.

Item 7. For incidentals and repairs, eight thousand (8,000) dollars: *Provided*, That no warrant shall be drawn on this item unless the bills are first approved by the Committee on Finance at a regular meeting of the committee.

Item 8. For compensation of two stenographers and typewriters, one for Select and one for Common Council, twelve hundred (1,200) dollars each per annum; two doorkeepers of Councils, one for Select and one for Common Council, three hundred (300) dollars each; cleaners of Council Chambers, five hundred (500) dollars; one janitor at the clerks' office, seven hundred and twenty (720) dollars; one fireman and cleaner at the clerks' office and janitor of water closets, Independence Hall, seven hundred and twenty (720) dollars; one messenger to serve at the clerks' office and at Select Council Chamber when required, seven hundred and twenty (720) dollars; office boy of Common Council, three hundred (300) dollars, to serve at the clerks' office; three pages, one for Select and two for Common Council, at one hundred (100) dollars each, to serve in Councils; total, six thousand two hundred and sixty (6,260) dollars. The Presidents of Select and Common Councils are hereby authorized to appoint the stenographers and typewriter, doorkeepers and pages.

Item 9. For preparing, printing and binding a Manual of Councils, for the use of members thereof, nine hundred (900) dollars: *Provided*, The Manuals be distributed not later than June 1st, 1895.

*Provided, also*, That not more than nine hundred (900) journals and appendixes of each branch of Councils for each half year shall be printed, and not more than four hundred (400) copies of each half year shall be bound: *Provided, further*, That not more than fifteen hundred (1,500) books of ordinances for each year shall be printed, and not more than eight hundred (800) copies shall be bound: *And provided, also*, That not more than eight hundred (800) copies of the opinions of the City Solicitor to be bound in the book of ordinances shall be printed.

And warrants shall be drawn by the Clerks of Councils in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,  
*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Clerk of the Courts of Oyer and Terminer and Quarter Sessions, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of thirty-seven thousand three hundred and fifty (37,350) dollars be, and the same is hereby appropriated to the Clerk of the Courts of Oyer and Terminer and Quarter Sessions, for the year 1895.

Item 1. For salaries: Clerk of the Courts of Quarter Sessions, Oyer and Terminer and General Jail Delivery (fixed by Act of Assembly), five thousand (5,000) dollars; deputy clerk and court clerk, two thousand five hundred (2,500) dollars each; court clerk, two thousand (2,000) dollars; record clerk, one thousand four hundred (1,400) dollars; assistant clerk and fee clerk, one thousand two hundred (1,200) dollars each;

road clerk, one thousand two hundred (1,200) dollars ; miscellaneous clerk, search clerk and subpoena clerk, one thousand (1,000) dollars each ; custodian of records for Clerk of Quarter Sessions, District Attorney and messenger, one thousand (1,000) dollars ; assistant messenger, six hundred (600) dollars ; stenographer and type-writer, nine hundred (900) dollars. Total, twenty-two thousand five hundred (22,500) dollars : *Provided*, That the amount appropriated in this item shall be taken from the fees earned by the clerk of the said courts.

Item 2. For blanks, books and stationery, one thousand eight hundred (1,800) dollars.

Item 3. For incidentals, five hundred and fifty (550) dollars.

Item 4. For advertising applications for liquor licenses, ten thousand (10,000) dollars.

Item 5. For pay for services of extra clerks, two thousand five hundred (2,500) dollars.

And the warrants shall be drawn by the Clerk of the Courts of Oyer and Terminer and Quarter Sessions in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Coroner, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of twenty-seven thousand five hundred and forty (27,540) dollars be, and the same is hereby appropriated to the Coroner for the year 1895.

Item 1. For salaries : Coroner (fixed by Act of Assembly), five thousand (5,000) dollars ; deputy coroner (fixed by Act of Assembly), two thousand five hundred (2,500) dollars ; clerk, one thousand five hundred (1,500) dollars ; assistant clerk, one thousand one hundred (1,100) dollars ; two physicians, one thousand eight hundred (1,800) dollars each ; four dis-

trict deputies, one thousand (1,000) dollars each; wagon driver, one thousand eight hundred (1,800) dollars; stenographer and type-writer, eight hundred (800) dollars; janitor, two hundred and forty (240) dollars. Total, twenty thousand five hundred and forty (20,540) dollars.

Item 2. For stationery and fuel, four hundred (400) dollars.

Item 3. For exhuming and incidentals, six hundred (600) dollars.

Item 4. For witnesses, jury fees, and burials, four thousand (4,000) dollars.

Item 5. For rent of office, one thousand two hundred (1,200) dollars.

Item 6. For maintenance of two horses and wagons, eight hundred (800) dollars.

*Provided*, That the amounts appropriated in Item 1 for Coroner, deputy coroner, and clerk shall be taken from the fees earned by the Coroner.

And warrants shall be drawn by the Coroner in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the District Attorney for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of thirty-six thousand one hundred (36,100) dollars be, and the same is hereby appropriated to the District Attorney for the year 1895.

Item 1. For salaries: District Attorney (fixed by Act of Assembly), ten thousand (10,000) dollars; first assistant (fixed by Act of Assembly), five thousand (5,000) dollars; second assistant (fixed by Act of Assembly), four thousand (4,000) dollars; third assistant (fixed by Act of Assembly) three

thousand (3,000) dollars; fourth assistant, two thousand five hundred (2,500) dollars; indictment clerk, two thousand (2,000) dollars; assistant indictment clerk, one thousand two hundred (1,200) dollars; office clerk, one thousand two hundred (1,200) dollars; fee clerk, five hundred (500) dollars; total, twenty-nine thousand four hundred (29,400) dollars: *Provided*, The amount appropriated in this item shall be taken from the fees earned by the District Attorney.

Item 2. For services of two detectives, two thousand seven hundred (2,700) dollars.

Item 3. For incidentals and expenses incident to the prosecution of cases, return of fugitives, blanks, stationery, temporary clerk hire, etc., three thousand (3,000) dollars; *Provided*, That warrants may be drawn against this item for bills contracted in 1894.

Item 4. For stenographer and typewriter, one thousand (1,000) dollars.

And warrants shall be drawn by the District Attorney in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Law Department for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That the sum of one hundred and two thousand eight hundred and twenty (102,820) dollars be, and the same is hereby appropriated to the Law Department for the year 1895, as follows:

Item 1. For salary of City Solicitor, ten thousand (10,000) dollars; one assistant, at four thousand five hundred (4,500)



dollars; one assistant, at four thousand (4,000) dollars; one assistant, at three thousand (3,000) dollars; four assistants, at two thousand five hundred (2,500) dollars each; two assistants, at two thousand (2,000) dollars each; two assistants, at one thousand eight hundred (1,800) dollars each; one assistant, at one thousand six hundred (1,600) dollars; one assistant, at one thousand five hundred and fifty (1,550) dollars; one assistant, at one thousand five hundred (1,500) dollars; two assistants, at one thousand four hundred (1,400) dollars each; four assistants, at one thousand two hundred (1,200) dollars each; two clerks, at one thousand five hundred (1,500) dollars each; two clerks, at one thousand two hundred (1,200) dollars each; four clerks, at one thousand (1,000) dollars each; four clerks, at nine hundred (900) dollars each; superintendent for Road Jury rooms, nine hundred (900) dollars; one clerk, at seven hundred and twenty (720) dollars; two stenographers and type-writers, at one thousand five hundred (1,500) dollars each; janitor and messenger, one thousand (1,000) dollars; total, sixty-nine thousand nine hundred and seventy (69,970) dollars.

Item 2. For Prothonotary's costs, seven hundred and fifty (750) dollars.

Item 3. For experts and witness fees, fifteen thousand (15,000) dollars: *Provided*, The Controller may countersign warrants against this item for bills for the year 1894.

Item 4. For blank books, stationery, paper books, and blanks, four thousand (4,000) dollars: *Provided*, The Controller may countersign warrants against this item for bills for the year 1894.

Item 5. For railroad and railway fares, one hundred (100) dollars.

Item 6 For miscellaneous expenses, three thousand (3,000) dollars.

Item 7. For advertising, affidavits, serving notices, and blue prints, eight thousand (8,000) dollars: *Provided*, The Controller may countersign warrants against this item for bills for the year 1894.

Item 8. For conveyancing, and expenses of conveyancing, and road jurors, one thousand five hundred (1,500) dollars.

Item 9. For law books, five hundred (500) dollars.

And warrants shall be drawn by the City Solicitor in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To make an appropriation to the Mayor for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and nineteen thousand two hundred and twenty (119,220) dollars be, and the same is hereby appropriated to the Mayor for the year 1895.

Item 1. For salary of Mayor, twelve thousand (12,000) dollars.

Item 2. For salary of Mayor's secretary, two thousand five hundred (2,500) dollars; contract clerk, two thousand (2,000) dollars; assistant contract clerk, stenographer and typewriter, one thousand two hundred (1,200) dollars; stenographer and typewriter, nine hundred (900) dollars; messenger, seven hundred and twenty (720) dollars; secretary Civil Service Board, two thousand (2,000) dollars; office boy, three hundred (300) dollars; total, nine thousand six hundred and twenty (9,620) dollars.

Item 3. For stationery, printing and incidentals, Civil Service Board, one thousand (1,000) dollars.

Item 4. For stationery, printing, miscellaneous advertising and incidentals (Mayor's office), two thousand five hundred (2,500) dollars.

Item 5. For advertising ordinances, fifteen thousand (15,000) dollars; *Provided*, That in no case shall the rate exceed ten (10) cents per line: *Provided further*, That all ordinances be printed in all the editions of the newspapers accepting such advertising, and in the small type generally used in advertising railroad tables and such other matter.

Item 6. For salary of loan and transfer agent, eighteen thousand (18,000) dollars.

Item 7. For printing certificates of City loan, six hundred (600) dollars.

Item 8. For printing and binding the Mayor's Annual Message and accompanying documents, ten thousand (10,000) dollars.

Item 9. For the purpose of enabling the Mayor to offer rewards for the discovery of the perpetrators of any crime, upon the approval of the Presidents of the Select and Common Councils, five hundred (500) dollars.

Item 10. To Board of Trustees for promoting the establishment and maintenance of a Free Library, twenty-five thousand (25,000) dollars.

Item 11. To the Board of Trustees of the Philadelphia museums for the maintenance and enlargement of said museums, twenty thousand (20,000) dollars.

Item 12. To the Pennsylvania Museum and School of Industrial Art, five thousand (5,000) dollars.

*Provided*, That the City Controller may countersign warrants against Items 4 and 5, for bills for the year 1894.

And warrants shall be drawn by the Mayor in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Board of Port Wardens for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixteen thousand two hundred and fifty (16,250) dollars be, and the same is hereby appropriated to the Board of Port Wardens, for the year 1895.

Item 1. For rent of office, seven hundred and fifty (750) dollars.

Item 2. For salary of secretary, one thousand and eighty (1,080) dollars.

Item 3. For salary of vessel clerk, seven hundred and twenty (720) dollars.

Item 4. For incidentals, five hundred (500) dollars: *Provided*, That not more than fifty (50) dollars of this item shall be expended for car fare.

Item 5. For stationery, binding and printing, two hundred (200) dollars.

Item 6. For removal of obstructions to the safe navigation of the rivers Delaware and Schuylkill, five hundred (500) dollars.

Item 7. For dredging docks, not belonging to the city, and in front of bulkheads, not belonging to the city, where city sewers empty, twelve thousand five hundred (12,500) dollars.

*Provided*, That Items 6 and 7 shall not merge: *Provided also*, That all the receipts of the Board shall be paid into the City Treasury, and warrants shall be drawn by the President of the Board of Port Wardens, who shall be one of those elected by the Councils of the City of Philadelphia. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART.

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Inspectors of the County Prison for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and ninety-four thousand eight hundred and twenty (194,820) dollars be, and the same is hereby appropriated to the Inspectors of the County Prison for the year 1895.

Item 1. For flour, seven thousand (7,000) dollars.

Item 2. For beef, mutton, and pork, thirteen thousand (13,000) dollars.

Item 3. For sugar, molasses, coffee, tea and other provisions, two thousand eight hundred (2,800) dollars.

Item 4. For oil and soap, one thousand (1,000) dollars.

Item 5. For potatoes and vegetables, two thousand five hundred (2,500) dollars.

Item 6. For drugs and hospital, six hundred (600) dollars.

Item 7. For hay, feed and straw, three hundred (300) dollars.

Item 8. For stationery and printing, five hundred (500) dollars.

Item 9. For brushes, brooms and combs, two hundred and fifty (250) dollars.

Item 10. For milk and ice, three hundred and fifty (350) dollars.

Item 11. For compressed yeast, lime and buckets, six hundred (600) dollars.

Item 12. For discharged prisoners, as per Act of Assembly, three hundred (300) dollars.

Item 13. For library books, two hundred (200) dollars.

Item 14. For furniture, disinfectants, plants, horse shoes and miscellaneous expenses, two thousand (2,000) dollars.

Item 15. For fuel, six thousand seven hundred (6,700) dollars.

Item 16. For clothing and bedding, five thousand (5,000) dollars.

Item 17. For lumber, brass cocks, paints, glass, iron, tin, hardware and repairs generally, four thousand (4,000) dollars.

Item 18. For fire insurance, two hundred and fifty (250) dollars.

Item 19. For salaries: Superintendent, two thousand five hundred (2,500) dollars; assistant superintendent, one thousand five hundred (1,500) dollars; clerk, one thousand five hundred (1,500) dollars; prison agent, one thousand five hundred (1,500) dollars; physician, one thousand two hundred (1,200) dollars; assistant physician and apothecary, one thousand (1,000) dollars; superintendent shoe depart-

ment, one thousand two hundred (1,200) dollars; plumber and keeper, one thousand one hundred (1,100) dollars; painter and keeper, and carpenter and keeper, one thousand (1,000) dollars each; sixteen keepers, at nine hundred (900) dollars each; baker and cook, eight hundred (800) dollars each; messenger, nine hundred (900) dollars; electrician and engineer, one thousand two hundred (1,200) dollars; assistant, one thousand (1,000) dollars; keeper and electrician, nine hundred (900) dollars; four night and two day watchmen, eight hundred (800) dollars each; physician (female), nine hundred (900) dollars; matron, eight hundred and fifty (850) dollars; assistant matron, seven hundred (700) dollars; two keepers, six hundred and fifty (650) dollars each; watchwoman, six hundred and forty-five (645) dollars. Total, forty-two thousand six hundred and ninety-five (42,695) dollars.

Item 20. For overwork of prisoners, three hundred (300) dollars.

Item 21. For leather, two thousand eight hundred (2,800) dollars.

Item 22. For shoe findings and lumber for boxes, two hundred and fifty (250) dollars.

Item 23. For advertising, two hundred (200) dollars.

Item 24. For railroad tickets (for prison) seventy-five (75) dollars.

Item 25. For railroad tickets for prison agent, one hundred and fifty (150) dollars.

Item 25½. For maintenance of electrical plant, one thousand (1,000) dollars.

Item 26. For the completion of the new County Prison in the Thirty-fifth Ward, one hundred thousand (100,000) dollars.

*Provided*, That the said Inspectors of the County Prison shall be allowed, when it is in their judgment to the best interest of the City, to purchase or contract, without advertising, bills for the County Prison not exceeding the sum of one hundred (100) dollars. And the City Controller is hereby authorized to countersign warrants for bills so rendered, upon the approval of said bills by the Board of Inspectors.

And warrants shall be drawn by the Inspectors.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

### AN ORDINANCE

To make an appropriation to the Prothonotary of the Courts of Common Pleas for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of sixty-seven thousand eight hundred and twenty-five (67,825) dollars be, and the same is hereby appropriated to the Prothonotary of the Courts of Common Pleas, for the year 1895.

Item 1. For salaries: Prothonotary (fixed by Act of Assembly), ten thousand (10,000) dollars; deputy prothonotary, three thousand five hundred (3,500) dollars; second deputy prothonotary, two thousand one hundred (2,100) dollars; first clerk, two thousand (2,000) dollars; second clerk and one fee clerk, one thousand five hundred (1,500) dollars each; one fee clerk, one thousand two hundred (1,200) dollars; four court clerks, one thousand four hundred (1,400) dollars each; four judgment search clerks, three locality search clerks, four appearance clerks, mechanic's lien clerk, three writ clerks, and two index clerks, one thousand two hundred (1,200) dollars each; first exemplification clerk, one thousand four hundred (1,400) dollars; second exemplification clerk, one thousand (1,000) dollars; seven recording and miscellaneous clerks, nine hundred and seventy-five (975) dollars each; custodian of records, additional custodian of records, and custodian of books, nine hundred (900) dollars each; additional custodian of books, three hundred (300) dollars; copyist and messenger, eight hundred (800) dollars each; total, sixty-one thousand six hundred and twenty-five (61,625) dollars: *Provided*, That the amount appropriated in this item for salaries shall be taken from fees earned by the Prothonotary.

Item 2. For books, blank books, and binding, two thousand two hundred (2,200) dollars.

Item 3. For blanks and stationery, one thousand seven hundred (1,700) dollars.

Item 4. For janitor, six hundred (600) dollars.

Item 5. For record boxes, two hundred (200) dollars.

Item 6. For furniture and alterations, one hundred (100) dollars.

Item 7. For incidentals, eight hundred (800) dollars: *Provided*, That warrants may be countersigned on this item on the approval of bills by the Prothonotary.

Item 8. For extra clerk (Act of June 1, 1889), six hundred (600) dollars.

And warrants shall be drawn by the Prothonotary of the Courts of Common Pleas in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Department of Receiver of Taxes, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of two hundred and thirty-four thousand eight hundred and forty-eight (234,848) dollars be, and the same is hereby appropriated to the Department of Receiver of Taxes, for the year 1895, as follows:

### *Main Office.*

Item 1. For salaries: Receiver of Taxes, ten thousand (10,000) dollars; chief clerk, two thousand five hundred (2,500) dollars; assistant chief clerk, one thousand four hundred (1,400) dollars; deputy receiver, two thousand (2,000)



dollars; cashier, two thousand five hundred (2,500) dollars; discount clerk, one thousand five hundred (1,500) dollars; auditor and assistant cashier, one thousand two hundred (1,200) dollars; one bill, poll tax, and delinquent clerk, one thousand two hundred (1,200) dollars; ten bill clerks and seven registering clerks, one thousand (1,000) dollars each; judicial sales clerk, receiving clerk, and receiving clerk and assistant auditor, one thousand two hundred (1,200) dollars each; chief search clerk, one thousand three hundred and fifty (1,350) dollars; four assistant search clerks, one thousand and eighty (1,080) dollars each; two registering clerks, one thousand (1,000) dollars each; messenger, one thousand (1,000) dollars; watchman, six hundred (600) dollars; janitor, six hundred (600) dollars; assistant messenger, six hundred and sixty (660) dollars; stenographer and typewriter, one thousand (1,000) dollars; total, fifty-four thousand four hundred and thirty (54,430) dollars.

*Delinquent Department.*

Item 2. For salaries: Chief Deputy, two thousand five hundred (2,500) dollars; cashier, one thousand eight hundred (1,800) dollars; lien clerk, one thousand eight hundred (1,800) dollars; five assistant lien clerks, one thousand (1,000) dollars each; registering clerk, one thousand two hundred (1,200) dollars; bill clerk, one thousand two hundred (1,200) dollars; locality clerk, one thousand three hundred and twenty (1,320) dollars; thirty-five deputy collectors, one thousand two hundred (1,200) dollars each; total, fifty-six thousand eight hundred and twenty (56,820) dollars.

*Bureau of Water.*

Item 3. For salaries: Chief Clerk, one thousand eight hundred (1,800) dollars; cashier, one thousand five hundred (1,500) dollars; chief bill clerk, one thousand three hundred (1,300) dollars; permit receiving clerk, one thousand four hundred (1,400) dollars; permit registering clerk, one thousand one hundred (1,100) dollars; one entry clerk, one thousand two hundred (1,200) dollars; one entry clerk, one thousand one hundred (1,100) dollars; registering clerk, one thousand two hundred (1,200) dollars; four registering clerks, one thousand (1,000) dollars each; six general clerks, nine

hundred (900) dollars each; search clerk, one thousand two hundred (1,200) dollars; messenger, nine hundred (900) dollars; total, twenty-two thousand one hundred (22,100) dollars.

*Bureau of Gas, Main Gas Office.*

Item 4. For salaries: Cashier, two thousand five hundred (2,500) dollars; chief clerk, two thousand (2,000) dollars; two auditors, one thousand three hundred and twenty (1,320) dollars each; seven receiving clerks, one thousand two hundred (1,200) dollars each; two consumption clerks, one thousand and eighty (1,080) dollars each; three suspense and transfer clerks, one thousand and eighty (1,080) dollars each; messenger, eight hundred and fifty-eight (858) dollars; watchman, eight hundred and three (803) dollars; eight bill clerks, nine hundred (900) dollars each; two ushers, seven hundred and twenty-six (726) dollars each; seven registering clerks, one thousand (1,000) dollars each.

*Spring Garden Gas Office.*

Chief Clerk, one thousand two hundred and fifty (1,250) dollars; auditor, one thousand three hundred and twenty (1,320) dollars; one consumption clerk and one suspense clerk, one thousand and eighty (1,080) dollars each; four receiving clerks, one thousand two hundred (1,200) dollars each; five bill clerks, nine hundred (900) dollars each; assistant application clerk, nine hundred (900) dollars; four registering clerks, one thousand (1,000) dollars each; usher, seven hundred and ninety-two (792) dollars; watchman, eight hundred and three (803) dollars; receiving clerk at Frankford, one thousand two hundred (1,200) dollars; application and registering clerk at Frankford, one thousand (1,000) dollars; bill clerk at Frankford, nine hundred (900) dollars; receiving clerk at Manayunk, one thousand two hundred (1,200) dollars; application and registering clerk at Manayunk, one thousand (1,000) dollars; bill clerk at Manayunk, nine hundred (900) dollars; receiving clerk at Germantown, one thousand two hundred (1,200) dollars; bill clerk, registering clerk, and application clerk at Germantown, nine hundred (900) dollars each; clerk at Ninth Ward Works, nine hundred and ninety (990) dollars; assistant clerk, Ninth Ward Works, nine hundred (900) dollars; assistant clerk and messenger, Ninth

Ward Works, nine hundred (900) dollars; clerk at Twenty-fifth Ward Works, nine hundred and ninety (990) dollars; clerk at Twenty-sixth Ward Works, nine hundred and ninety (990) dollars; total, seventy-three thousand six hundred and forty-eight (73,648) dollars.

Item 5. For advertising delinquent taxpayers, two thousand (2,000) dollars: *Provided*, That said advertising shall not be done in more than two newspapers, and the Controller shall countersign no warrants exceeding fifteen (15) cents for all advertising of each name in any ward, as directed by the Act of March 21, 1862.

Item 6. For blank books and stationery, printing, advertising, and supplies, eight thousand (8,000) dollars.

Item 7. For incidentals, two thousand five hundred (2,500) dollars.

Item 8. For compensation of Receiver of Taxes in Twenty-third and Thirty-fifth Wards, six thousand (6,000) dollars: *Provided*, The Controller shall countersign no warrant drawn on this item except at a rate of two and one-half ( $2\frac{1}{2}$ ) per cent. of all money received by the said receiver during the current year, for which the same shall have been levied according to the provisions of an act approved April 30, 1864.

Item 9. For salaries of extra clerks, five thousand (5,000) dollars, to include the registration of delinquent taxes, the preparation of lists of advertisements, and other services incidental to the closing of the books of the Receiver of Taxes as required by the Act of May 23, 1874, and the Act of June 11, 1879.

Item 10. For preparing duplicate copy of registered taxes for City Controller, five hundred (500) dollars.

Item 11. For refunding to the Overseers of the Poor of Roxborough poor tax collected during the year 1894, according to Act of May 16, 1878, Section 3, P. L. 53, three thousand one hundred and fifty (3,150) dollars.

Item 12. For refunding twice-paid and paid-in-error gas bills, seven hundred (700) dollars.

And warrants shall be drawn by the Receiver of Taxes in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894,

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Recorder of Deeds for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and eleven thousand eight hundred (111,800) dollars be, and the same is hereby appropriated to the Recorder of Deeds for the year 1895.

Item 1. For salaries : Recorder of Deeds (fixed by Act of Assembly), ten thousand (10,000) dollars ; deputy, two thousand seven hundred and fifty (2,750) dollars ; chief clerk, two thousand (2,000) dollars ; bookkeeper, one thousand seven hundred and fifty (1,750) dollars ; chief search clerk, two thousand (2,000) dollars ; three mortgage search clerks, one thousand five hundred (1,500) dollars each ; two conveyance search clerks, one thousand two hundred (1,200) dollars each ; mortgage index clerk, one thousand eight hundred (1,800) dollars ; conveyance index clerk, one thousand six hundred (1,600) dollars ; assistant index clerk, one thousand two hundred (1,200) dollars ; miscellaneous clerk, one thousand three hundred (1,300) dollars ; three miscellaneous clerks, one thousand one hundred (1,100) dollars each ; superintendent of transcribing room, one thousand four hundred (1,400) dollars ; four compare clerks, one thousand three hundred and fifty (1,350) dollars each ; custodian of records, one thousand (1,000) dollars ; assistant custodian of records, eight hundred (800) dollars ; clerk and elevator man, eight hundred (800) dollars ; messenger, seven hundred (700) dollars ; fifty-two transcribing clerks, nine hundred (900) dollars each ; total, ninety-one thousand five hundred (91,500) dollars : *Provided*, That the amount appropriated in this item shall be taken from fees earned by the Recorder of Deeds.

Item 2. For blank books and stationery, five thousand (5,000) dollars.

Item 3. For incidentals, eight hundred (800) dollars : *Provided*, That not more than twenty-five (25) dollars of this item shall be expended for car fare.

Item 4. For janitor and assistant janitor and typewriter, six hundred (600) dollars each, one thousand eight hundred (1,800) dollars.

Item 5. For preparation of indices, to replace those worn, as follows : Six temporary clerks, at the rate of one thousand (1,000) dollars each per year ; and five hundred (500) dollars for blank books ; total, six thousand five hundred (6,500) dollars.

Item 6. For recopying old records, one chief clerk, at the rate of one thousand four hundred (1,400) dollars per annum ; and four assistant clerks, at the rate of nine hundred (900) dollars per annum ; total, five thousand (5,000) dollars.

Item 7. For Recorder's transfer clerk, one thousand two hundred (1,200) dollars.

And warrants shall be drawn by the Recorder of Deeds in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Register of Wills for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of forty thousand seven hundred (40,700) dollars be, and the same is hereby appropriated to the Register of Wills for the year 1895 :

Item 1. For salaries : Register of Wills and Clerk of Orphans' Court (fixed by Act of Assembly), five thousand (5,000) dollars ; Deputy Register, two thousand five hundred

(2,500) dollars; one transcribing clerk, one thousand five hundred (1,500) dollars; one transcribing clerk, one thousand (1,000) dollars; three miscellaneous clerks, one thousand (1,000) dollars each; three account clerks, one thousand (1,000) dollars each; three recording clerks, one thousand (1,000) dollars each; inventory clerk, one thousand (1,000) dollars; two index clerks, one thousand (1,000) dollars each; stenographer and typewriter, one thousand (1,000) dollars; messenger and custodian of records, eight hundred (800) dollars each. Orphans' Court, first assistant clerk (fixed by Act of Assembly), two thousand (2,000) dollars; second assistant clerk (fixed by Act of Assembly), one thousand eight hundred (1,800) dollars; third assistant clerk (fixed by Act of Assembly), one thousand two hundred (1,200) dollars; seven assistant clerks (fixed by Act of Assembly), one thousand (1,000) dollars each; messenger and custodian of records, eight hundred (800) dollars; total, thirty-seven thousand, four hundred (37,400) dollars: *Provided*, That the amount appropriated in this item for salaries, shall be taken from the fees earned by the Register of Wills.

Item 2. For law books for library of the Orphan's Court, two hundred (200) dollars.

Item 3. For incidentals, including repairs of books, six hundred (600) dollars: *Provided*, That no part of this item shall be expended for car fare.

Item 4. For blank books, stationery and supplies, two thousand (2,000) dollars; for janitor, five hundred (500) dollars; total, two thousand five hundred (2,500) dollars.

And warrants shall be drawn by the Register of Wills in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Board of Revision of Taxes,  
for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one hundred and twenty-eight thousand two hundred (128,200) dollars be, and the same is hereby appropriated to pay the expenses of the Board of Revision of Taxes for the year 1895.

Item 1. To pay the salaries of the members of the Board of Revision, at four thousand (4,000) dollars each per annum, twelve thousand (12,000) dollars.

Item 2. To pay salaries of forty-four (44) assessors, at two thousand (2,000) dollars each per annum, eighty-eight thousand (88,000) dollars.

Item 3. To pay salary of chief clerk, two thousand two hundred and fifty (2,250) dollars.

Item 4. To pay salary of assistant clerk, two thousand (2,000) dollars.

Item 5. To pay salaries of division and locality clerk, one thousand five hundred (1,500) dollars; appeal clerk, allowance clerk, certificate clerk and record clerk, at one thousand (1,000) dollars each per annum, four thousand (4,000) dollars; total, five thousand five hundred (5,500) dollars.

Item 6. To pay salaries of miscellaneous clerk, one thousand one hundred (1,100) dollars, and twelve (12) clerks engaged in making up tax duplicates and tax triplicates, one thousand (1,000) dollars each, and extra clerk hire, five hundred (500) dollars; total, thirteen thousand six hundred (13,600) dollars.

Item 7. To pay for stationery, tax duplicates, tax triplicates, recapitulation books, blotters and assessment books for the use of assessors in making return of assessments for the year 1896, including rebinding of duplicates for the year 1895, for blank books for house numbering and rebinding old assessors books, three thousand seven hundred (3,700) dollars.

Item 8. To pay for additions to maps in the office of the Board of Revision, one hundred and fifty (150) dollars.

Item 9. To pay for incidentals, house cleaning and advertising appeals, one thousand (1,000) dollars: *Provided*, That not more than fifty (50) dollars of this item shall be expended for car fare.

*Provided*, That when binding shall be required, payment for which is taken from Item 7, the said Board be, and it is hereby authorized to invite proposals from not less than five responsible parties known to be engaged in the business, and to award the contract to the lowest and best bidder, with the approval of the Committee on Finance; and that the schedule of the bids received and the award of the contracts made, with a copy of the request for such bids, certified by the Committee on Finance, shall be sent to the City Controller before he shall sign any warrants for binding:

And warrants shall be drawn in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Sheriff for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of seventy nine thousand seven hundred and sixty (79,760) dollars be, and the same is hereby appropriated to the Sheriff for the year 1895.

Item 1. For salaries: sheriff (fixed by Act of Assembly), fifteen thousand (15,000) dollars; real estate deputy, six thousand (6,000) dollars; clerk to real estate deputy, one thousand five hundred (1,500) dollars; personal estate deputy, two thousand (2,000) dollars; execution clerk, one thousand two hundred (1,200) dollars; appearance clerk, one thousand (1,000) dollars; assistant appearance clerk, nine hundred (900) dollars; fee clerk, one thousand (1,000) dollars; six deputy sheriffs, one thousand (1,000) dollars each; six clerks to deputy



sheriffs, nine hundred (900) dollars each ; eighteen writ servers seven hundred and twenty (720) dollars each ; quarter sessions' deputy, seven hundred (700) dollars ; assistant quarter sessions' deputy, seven hundred (700) dollars ; four court deputies, one hundred (100) dollars each ; deputy sheriff Orphan's Court, one hundred (100) dollars ; total, fifty-four thousand eight hundred and sixty (54,860) dollars: *Provided*, That the amount appropriated in this item for salaries shall be taken from the fees earned by the sheriff.

Item 2. For salaries : solicitor to sheriff, two thousand (2,000) dollars ; assistant solicitor to sheriff, one thousand five hundred (1,500) dollars ; bill poster, one thousand (1,000) dollars ; for use and driver of van, one thousand eight hundred (1,800) dollars ; auctioneer, six hundred (600) dollars ; stenographer and clerk, nine hundred (900) dollars ; messenger, seven hundred (700) dollars ; janitor, six hundred (600) dollars ; total, nine thousand one hundred (9,100) dollars.

Item 3. For books, stationery, and incidentals, including expenses of writ service, two thousand (2,000) dollars.

Item 4. For preparing and advertising sheriff's proclamation, five thousand (5,000) dollars.

Item 5. For printing and posting sheriff's proclamation, one thousand five hundred (1,500) dollars.

Item 6. For expenses of sheriff's juries, eight hundred (800) dollars.

Item 7. For furniture and repairs, two hundred (200) dollars.

Item 8. For sheriff's costs, six thousand (6,000) dollars ; *Provided*, The Controller may countersign warrants on this item for the year 1894.

Item 9. For rent of hall for sheriff's real estate sales, three hundred (300) dollars.

And warrants shall be drawn by the sheriff in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Department of Charities and Correction, for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of six hundred and forty-three thousand six hundred and sixty-three (643,663) dollars be, and the same is hereby appropriated to the Department of Charities and Correction, for the year 1895.

Of amount appropriated to this Department, the sum of four hundred and forty-six thousand six hundred and eight (446,608) dollars is for the expenses of the Bureau of Charities as follows :

*Hospital Department.*

Item 1. For drugs and medicines, ten thousand (10,000) dollars.

Item 2. For whisky, wines and porter, one thousand five hundred (1,500) dollars.

Item 3. For surgical instruments, leeches and leeching, one thousand (1,000) dollars.

Item 4. For salaries : Chief resident physician, two thousand five hundred (2,500) dollars ; chief nurse, one thousand (1,000) dollars ; assistant nurse, seven hundred and fifty (750) dollars ; apothecary, one thousand two hundred (1,200) dollars ; first assistant apothecary, seven hundred (700) dollars ; second assistant apothecary, six hundred (600) dollars ; hospital clerk, five hundred (500) dollars ; recording clerk, one hundred (100) dollars ; cooks, six hundred (600) dollars ; housekeeper, four hundred (400) dollars ; total, eight thousand three hundred and fifty (8,350) dollars.

Item 5. For wages on pay-roll, thirteen thousand five hundred (13,500) dollars.

Item 6. For binding and purchase of books for library, and printing report, six hundred (600) dollars : *Provided*, The balance to the credit of this item shall not merge December 31, 1894.

Item 7. For preservation of pathological specimens, three hundred (300) dollars.

*Insane Department.*

Item 8. For salaries: Assistant physician (male department), nine hundred (900) dollars; assistant physician (female department) nine hundred (900) dollars; cooks, six hundred (600) dollars; male supervisor, six hundred (600) dollars; female supervisor, four hundred and eighty (480) dollars; two teachers, three hundred (300) dollars each, six hundred (600) dollars; engineer, six hundred (600) dollars; total, four thousand six hundred and eighty (4,680) dollars.

Item 9. For wages on pay-roll, twenty-three thousand (23,000) dollars.

Item 10. For flour, cornmeal, oatmeal and wheaten preparations, twenty-two thousand (22,000) dollars.

Item 11. For meats and fish, forty-five thousand (45,000) dollars.

Item 12. For groceries and tobacco, forty-five thousand (45,000) dollars.

Item 13. For vegetables, thirteen thousand (13,000) dollars.

Item 14. For marketing, twenty-one thousand (21,000) dollars.

Item 15. For dry goods, notions and clothing, twenty-two thousand (22,000) dollars.

Item 16. For boots, shoes, hats and caps, two thousand five hundred (2,500) dollars.

Item 17. For crockery and house furnishing goods, two thousand five hundred (2,500) dollars.

Item 18. For purchase and repairs of stoves and cooking apparatus, four hundred (400) dollars.

Item 19. For fuel, twenty-eight thousand (28,000) dollars.

Item 20. For oil, four hundred (400) dollars.

Item 21. For furniture, two thousand five hundred (2,500) dollars.

Item 22. For salaries: Superintendent, three thousand (3,000) dollars; storekeeper, one thousand four hundred (1,400) dollars; chief clerk, one thousand six hundred (1,600) dollars; house agent, one thousand four hundred (1,400) dollars; superintendent's clerk, seven hundred (700) dollars; storekeeper's clerk, eight hundred and fifty (850) dollars; doorkeeper, four hundred and fifty (450) dollars; captain of

out-wards, nine hundred (900) dollars; chief engineer, one thousand two hundred (1,200) dollars; assistant engineer, six hundred (600) dollars; assistant engineer, five hundred and fifty (550) dollars; plumber, eight hundred (800) dollars; carpenter, eight hundred and fifty (850) dollars; house agent's clerk, eight hundred (800) dollars; baker, seven hundred and thirty-eight (738) dollars; steam fitter, five hundred (500) dollars; general watchman, six hundred (600) dollars; assistant watchman, four hundred (400) dollars; assistant watchman No. 2, four hundred (400) dollars; storekeeper's clerk No. 2, nine hundred (900) dollars; gardener, five hundred and forty (540) dollars; secretary, one thousand eight hundred (1,800) dollars; visitor of children, one thousand two hundred (1,200) dollars; out-door agent, one thousand six hundred and fifty (1,650) dollars; messenger and special officer, six hundred and fifty (650) dollars; ambulance driver, five hundred (500) dollars; ambulance driver, five hundred (500) dollars; captain of the hall, six hundred (600) dollars; special police officer, four hundred and fifty (450) dollars; 25 out-door physicians, two hundred and forty (240) dollars each, six thousand (6,000) dollars; 25 out-door physicians, homœopathic, two hundred and forty (240) dollars each, six thousand (6,000) dollars; book-keeper in manufacturing department, eight hundred (800) dollars; laundry engineer, six hundred (600) dollars; clerk at the Seventh street office, six hundred (600) dollars; janitor of Seventh street office, four hundred (400) dollars; superintendent of stables, five hundred (500) dollars; total, forty-one thousand four hundred and twenty-eight (41,428) dollars.

Item 23. For wages on pay-roll, eleven thousand (11,000) dollars.

Item 24. For milk, thirteen thousand (13,000) dollars.

Item 25. For hose and fire apparatus and hose for inside of building, with pipes, brackets and couplings, five hundred (500) dollars.

#### *Manufacturing Department.*

Item 26. For leather, lasts and shoe findings, one thousand five hundred (1,500) dollars.

Item 27. For chain filling and weaving materials, three thousand five hundred (3,500) dollars.

Item 28. For tinsmiths' and painters' supplies, two thousand (2,000) dollars.

Item 29. For lumber, three thousand five hundred (3,500) dollars.

Item 30. For hardware and tools, one thousand (1,000) dollars.

Item 31. For wages on pay-roll, one thousand five hundred (1,500) dollars.

Item 32. For repairs to houses, plumbing, gas and steam-fitting and material therefor, fifteen thousand (15,000) dollars.

*Farm and Blockley Estate.*

Item 33. For straw and feed, four thousand (4,000) dollars.

Item 34. For seed and farming implements, three hundred (300) dollars.

Item 35. For horses, mules, harness, wagons and repairs, seven hundred and fifty (750) dollars: *Provided*, The Controller shall countersign warrants upon this item for repairs upon approval of bills by the Department of Charities and Correction without advertising.

Item 36. For horseshoeing, five hundred (500) dollars: *Provided*, The Controller shall countersign warrants upon this item upon approval of bills by the Department of Charities and Correction without advertising.

Item 37. For insurance on buildings and contents, eight hundred (800) dollars.

Item 38. For traveling expenses of house agent, visitor of children, and support of non-residents, one thousand (1,000) dollars.

Item 39. For ground rent of City office, one hundred and eighty (180) dollars.

Item 40. For repairs of City office, water rent and incidental expenses, two hundred (200) dollars.

Item 41. For issuing processes and removal of non-residents, two thousand five hundred (2,500) dollars.

Item 42. For cupping, leeching and burial cases, six hundred (600) dollars: *Provided*, That bills contracted during November and December, 1894, shall be paid out of this item.

Item 43. For stationery, printing, advertising and incidentals, four thousand two hundred and fifty (4,250) dollars.

Item 44. For transportation of materials and car tickets for officers of the institution, five hundred (500) dollars: *Provided*, The controller shall countersign warrants on this Item for the month of December, 1894.

Item 45. For ice, two thousand (2,000) dollars: *Provided*, The Controller shall countersign warrants on this item for the month of December, 1894.

Item 46. For purchase of medicine and dietetic food for the sick, to be distributed by the out-door physicians, six thousand (6,000) dollars: *Provided*, The Controller may countersign warrants on this item for bills of 1894.

Item 47. For maintaining and educating two (2) deaf mutes in the Deaf and Dumb Asylum, in this City, five hundred and twenty (520) dollars.

Item 48. For support of one hundred and twenty (120) feeble-minded children at Pennsylvania Training School, at Media, twenty-one thousand (21,000) dollars.

Item 49. For maintaining thirty (30) blind men in the Pennsylvania Working Home for Blind Men, West Philadelphia, five thousand (5,000) dollars.

Item 50. For maintenance of children in the various homes as directed by Act of Assembly, approved June 13th, 1883, ten thousand four hundred (10,400) dollars: *Provided*, The Controller may countersign warrants on this item for bills of 1894.

Item 51. For purchase of medicines for the sick, to be dispensed by homœopathic physicians, two hundred and fifty (250) dollars: *Provided*, The Controller may countersign warrants for bills on this item, incurred during November and December, 1894.

Item 52. For stone walls and fences, one thousand (1,000) dollars.

Item 53. For examination of insane cases, one thousand five hundred (1,500) dollars.

Item 54. For painting interior of building, two thousand five hundred (2,500) dollars.

Item 55. For improvement to roads and grounds, two thousand (2,000) dollars.

Item 56. For general repairs to insane department, two thousand (2,000) dollars.

Item 57. For electrical supplies, seven hundred (700) dollars.

Item 58. For plastering, painting and flooring, in Women's Out-wards, two thousand (2,000) dollars.

Item 59. For plastering, painting and flooring in Hospital, two thousand (2,000) dollars.

Item 60. For three (3) new boilers in place of old ones, six thousand (6,000) dollars.

Item 61. For extending the incandescent electric lighting to cover the entire Institution, five thousand (5,000) dollars.

*Provided*, That the Department of Charities and Correction, in the selection of their employees, are directed to prefer in their appointments honorably discharged soldiers and sailors: *Provided, further*, That for drugs and medicines for hospital, surgical instruments, and marketing, the Controller shall countersign warrants upon the approval of the Superintendent's bill by the Department of Charities and Correction: *Provided, also*, That the bills of the Superintendent shall give the items of the marketing purchased by him, together with the names of persons from whom the purchases are made, and the quantities and amounts purchased from each of said persons per day: *And provided, further*, That the appropriation made to Item 59½ in the annual appropriation to the Department of Charities and Correction (Bureau of Charities) for the year 1894, shall not merge December 31, 1894.

SECT. 2. Of amount appropriated to this Department, the sum of one hundred and ninety-seven thousand and fifty-five (197,055) dollars is for the expenses of the Bureau of Correction, as follows:

Item 1. For salaries, without board: General Superintendent, two thousand five hundred (2,500) dollars; warden, one thousand five hundred (1,500) dollars; secretary, one thousand eight hundred (1,800) dollars; book-keeper, nine hundred (900) dollars; assistant book-keeper, eight hundred (800) dollars; messenger and typewriter, eight hundred (800) dollars; moral instructor and teacher, one thousand (1,000) dollars; store-keeper, one thousand two hundred (1,200) dollars; visiting physician, nine hundred (900) dollars; superintendent of gas works, one thousand one hundred (1,100) dollars; superintendent of shoe department, nine hundred (900) dollars; jani-

tor, five hundred (500) dollars; organist, one hundred and twenty (120) dollars; superintendent of carpenter department, eight hundred (800) dollars; superintendent of blacksmith department, eight hundred (800) dollars; superintendent of masons' department, nine hundred (900) dollars; superintendent of quarry department, eight hundred (800) dollars; superintendent of tailoring department, eight hundred (800) dollars; farmer, eight hundred (800) dollars; baker, eight hundred (800) dollars; engineer of dredging machine, seven hundred (700) dollars; three lamplighters, each three hundred (300) dollars.

For salaries, with board: Resident physician, nine hundred (900) dollars; apothecary, six hundred (600) dollars; male nurse, four hundred (400) dollars; chief engineer, one thousand (1,000) dollars; four assistant engineers, six hundred (600) dollars each, and forty (40) dollars each for uniforms; captain of guards, one thousand (1,000) dollars; lieutenant of guards, nine hundred (900) dollars; fifty guards, each six hundred (600) dollars, and clothing, forty (40) dollars each, thirty-two thousand (32,000) dollars; matron, six hundred and seventy-five (675) dollars; eight assistant matrons, three hundred and sixty (360) dollars each; female nurse (hospital), three hundred and sixty (360) dollars; female nurse (nursery), three hundred and sixty (360) dollars; chief cook, eight hundred and fifty (850) dollars; assistant cook, five hundred (500) dollars; wagon driver, six hundred (600) dollars, total, sixty-six thousand nine hundred and five (66,905) dollars.

Item 2. For wheat, rye, and corn flour, twelve thousand (12,000) dollars.

Item 3. For beef, mutton, veal, pork, fish, clams, ice, poultry, hams, and dried beef, twenty-five thousand (25,000) dollars.

Item 4. For sugar, coffee, tea, and other provisions, thirteen thousand (13,000) dollars: *Provided*, The Controller shall countersign warrants upon the approval of bills for butter and eggs by the Bureau of Correction, without advertising.

Item 5. For tobacco, soap, oil, and starch, three thousand (3,000) dollars.

Item 6. For drugs, medicines, surgical instruments, hospital supplies, etc., two thousand (2,000) dollars: *Provided*,



The Controller shall countersign warrants on this item upon the approval of bills by the Bureau of Correction, without advertising.

Item 7. For hay, feed, and straw, one thousand two hundred and fifty (1,250) dollars.

Item 8. For transportation of prisoners, car fares, freight, and cartage, two thousand five hundred (2,500) dollars.

Item 9. For stationery, printing, postage, advertising, and typewriting supplies at House of Correction, two thousand (2,000) dollars.

Item 10. For brushes, brooms, broom-corn, and combs, one thousand (1,000) dollars.

Item 11. For lumber, paints, and glass, four thousand (4,000) dollars.

Item 12. For iron, steel, and blacksmiths' tools, one thousand two hundred and fifty (1,250) dollars.

Item 13. For horses, cows, pigs, wagons, harness, and trimmings, two thousand (2,000) dollars.

Item 14. For farming utensils, manure, seeds, and plants, three thousand (3,000) dollars: *Provided*, The Controller shall countersign warrants on this item, upon approval of bills by the Bureau of Correction, without advertising.

Item 15. For shovels, picks, axes, and handles, three hundred (300) dollars.

Item 16. For rent of City office, six hundred (600) dollars.

Item 17. For powder, fuse, and materials for quarry, one thousand (1,000) dollars.

Item 18. For fuel for buildings and gas works, twenty-three thousand (23,000) dollars.

Item 19. For lime for buildings and gas works, five hundred (500) dollars.

Item 20. For clothing and dry goods, five thousand five hundred (5,500) dollars.

Item 21. For furniture, steam-fittings, and miscellaneous articles, two thousand five hundred (2,500) dollars.

Item 22. For hardware, one thousand (1,000) dollars.

Item 23. For bed-clothing and bedding, one thousand (1,000) dollars.

Item 24. For thread, cotton, needles, and trimmings, five hundred (500) dollars.

Item 25. For leather, lasts and shoe findings for House of Correction, five thousand (5,000) dollars.

Item 26. For repairs and cement, one thousand eight hundred (1,800) dollars.

Item 27. For incidentals, four hundred (400) dollars.

Item 28. For insurance, four thousand (4,000) dollars.

Item 29. For maintaining and extending gas works, three thousand (3,000) dollars.

Item 30. For hose for quarry and house, three hundred (300) dollars.

Item 31. For boilers and cauldrons and repairs to boilers, walls, and furnaces, seven hundred and fifty (750) dollars.

Item 32. For repairs to slate roofs, spouting, gutters, etc., two thousand (2,000) dollars.

Item 33. For repairs to wharf, two thousand (2,000) dollars.

Item 34. For new boilers, three thousand (3,000) dollars.

And warrants shall be drawn by the President of the Department of Charities and Correction in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To approve and confirm the First National Bank as the bank in which the active account of the City Treasury shall be kept.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the First National Bank be, and the same is hereby approved and confirmed as the bank in which the active account of the City Treasury shall be kept.

Said bank having been selected by the City Treasurer-elect in compliance with Section 2 of the Ordinance of April 9, 1892, for said purpose.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To approve the surety on the official bond of Richard G. Oellers, City Treasurer-elect.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Trust, Safe Deposit and Surety Company of Philadelphia be, and it is hereby approved as surety on the official bond of Richard G. Oellers, City Treasurer-elect, and the City Solicitor is hereby directed to prepare the proper bond.

Approved the twenty-sixth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Department of Public Works for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of six million eight hundred and seventy thousand seven hundred and ten (6,870,710) dollars and forty-two (42) cents be, and the same is hereby appropriated to the Department of Public Works, for the year 1895, as follows :

*Director's Office.*

Of the amount appropriated to this Department, the sum of twenty-one thousand two hundred and twenty (21,220) dollars is for the expenses of the Director's office as follows :

Item 1. For salaries : Director of the Department of Public Works, ten thousand (10,000) dollars ; chief clerk, two thousand five hundred (2,500) dollars ; general record clerk, one thousand two hundred (1,200) dollars ; clerk, one thousand (1,000) dollars ; one assistant clerk, one thousand (1,000) dollars ; stenographer and clerk, nine hundred (900) dollars ; stenographer and typewriter, nine hundred (900) dollars ; messenger, seven hundred and twenty (720) dollars ; total, eighteen thousand two hundred and twenty (18,220) dollars.

Item 2. For maintenance and keep of horse and carriage, five hundred (500) dollars.

Item 3, For printing, stationery and incidental expenses, two thousand five hundred (2,500) dollars.

*City Ice Boats.*

SECT 2. Of the amount appropriated to this Department, the sum of thirty-four thousand nine hundred (34,900) dollars is for the expenses of the City Ice Boats, as follows :

Item 1. For repairs and equipment of boats and machinery, seven thousand five hundred (7,500) dollars.

Item 2. For fuel, ten thousand (10,000) dollars.

Item 3. For salaries and wages : salary of Superintendent, one thousand six hundred and fifty (1,650) dollars ; for clerk, four hundred (400) dollars ; for engineer, one thousand and eighty (1,080) dollars ; and for wages, nine thousand five hundred and seventy (9,570) dollars ; total, twelve thousand seven hundred (12,700) dollars.

Item 4. For provisions, two thousand five hundred (2,500) dollars.

Item 5. For insurance, one thousand two hundred (1,200) dollars.

Item 6. For incidentals, one thousand (1,000) dollars.

*Provided*, That warrants may be countersigned on Items 1, 2, 3 and 4, for bills of 1894.

*Bureau of Gas.*

SECT. 3. Of the amount appropriated to this Department the sum of two millions eight hundred and eighty-five thousand seven hundred and eighty-two (2,885,782) dollars and seventy-four (74) cents is for the expenses of the Bureau of Gas, as follows :

Item 1. For salaries : Chief of Bureau, five thousand five hundred (5,500) dollars ; assistant to chief and general storekeeper, three thousand (3,000) dollars ; general superintendent of distribution, and general bookkeeper and controller, each two thousand five hundred (2,500) dollars, five thousand (5,000) dollars ; chief clerk at main office, paymaster and chief clerk at works, and superintendent of stables, hauling and coke, each two thousand (2,000) dollars, six thousand (6,000) dollars ; registrar and chief meter inspector, and three (3) superintendents of works, each one thousand eight hundred (1,800) dollars, seven thousand two hundred (7,200) dollars ; general clerk at main office, miscellaneous clerk, architect and draughtsman, and general foreman of distribution, each one thousand five hundred (1,500) dollars, six thousand (6,000) dollars ; chief transfer and application clerk at main office, one thousand three hundred and twenty (1,320) dollars ; assistant transfer and application clerk at main office, one thousand and eighty (1,080) dollars ; assistant transfer and application clerk at main office, nine hundred (900) dollars ; time and meter clerk, superintendent, Spring Garden office, superintendent, Germantown office, superintendent, Manayunk office, and electrician, each one thousand two hundred (1,200) dollars, six thousand (6,000) dollars ; chief weigher and coal clerk, one thousand one hundred and forty (1,140) dollars ; suspense clerk, two (2) inspectors of fittings and one application clerk at Spring Garden office, each one thousand and eighty (1,080) dollars, four thousand three hundred and twenty (4,320) dollars ; assistant application clerk at Spring Garden office, nine hundred (900) dollars ; assistant to chief meter inspector at Spring Garden office, one thousand and eighty (1,080) dollars ; superintendent of shops, one thousand two hundred and fifty (1,250) dollars ; clerk and time-keeper at Twenty-fifth Ward Works, one thousand and eighty (1,080) dollars ; assistant to chief meter inspector at main office, one thousand (1,000) dollars ; foreman of meter and repair shops, one thousand two hundred

(1,200) dollars; foreman of coke yard at Ninth Ward Works, one thousand (1,000) dollars; six (6) assistant foremen of distribution, and superintendent of Frankford office, each nine hundred and sixty (960) dollars, six thousand seven hundred and twenty (6,720) dollars; three (3) bill clerks, removal clerk, foreman of coke yard of Twenty-fifth Ward Works, foreman of coke yard at Point Breeze Works, clerk in meter-room at Spring Garden office, carpenter and messenger, and two (2) detectives, each nine hundred (900) dollars, nine thousand (9,000) dollars; clerk of shops, one thousand one hundred and fifty (1,150) dollars; clerk to general storekeeper, one thousand one hundred (1,100) dollars; six (6) inspectors of fittings, each nine hundred (900) dollars, five thousand four hundred (5,400) dollars; two firemen, eight hundred and forty (840) dollars each, one thousand six hundred and eighty (1,680) dollars; seventy (70) meter inspectors, each eight hundred and forty (840) dollars, fifty-eight thousand eight hundred (58,800) dollars; six (6) meter provers, each nine hundred (900) dollars, five thousand four hundred (5,400) dollars; fifty-four out-ordermen, each seven hundred and eighty (780) dollars, forty-two thousand one hundred and twenty (42,120) dollars; chemist, five hundred (500) dollars; chemical analysis and test of gas, five hundred (500) dollars; nine telegraph operators, each three hundred and sixty (360) dollars, three thousand two hundred and forty (3,240) dollars; cleaning office, five hundred (500) dollars, and two (2) Sunday watchmen, each one hundred and four (104) dollars, two hundred and eight (208) dollars; in all, one hundred and ninety-one thousand two hundred and eighty-eight (191,288) dollars.

Item 2. For wages of stokers and helpers, mechanics, laborers and other employes engaged in the manufacture of gas, laying of service pipe, maintenance of buildings and the collection and delivery of coke, eight hundred thousand (800,000) dollars.

Item 3. For gas coal, nine hundred thousand (900,000) dollars.

Item 4. For material, supplies, repairs and improvement at works, three hundred thousand (300,000) dollars.

Item 5. For printing, advertising, stationery, and other incidentals, six thousand four hundred (6,400) dollars; for car fares, two thousand one hundred (2,100) dollars; and for

insurance, eight thousand three hundred (8,300) dollars; in all, sixteen thousand eight hundred (16,800) dollars.

Item 6. For gas manufactured by the Philadelphia Gas Improvement Company and delivered into the holders of the City at the Twenty-fifth Ward Gas Works, in accordance with contract dated August 3, 1888, at the rate of thirty-seven (37) cents per one thousand cubic feet, six hundred thousand (600,000) dollars.

Item 7. For the purchase and laying, including material and labor account, of pipes for the distribution of gas, seventy-five thousand (75,000) dollars.

Item 8. For refunding to parties money expended in 1893 and 1894 for gas-pipe and service cocks, two thousand six hundred and ninety-four (2,694) dollars and seventy-four (74) cents: *Provided*, That the amount paid under this item shall in no case exceed the amount paid by the City of Philadelphia for service pipe and laying the same.

*Provided*, That the City Controller shall approve such bills for work, labor and material done, made or furnished prior to 1895 as shall have been approved by the Director of the Department of Public Works, the aggregate amount thereof not exceeding sixty thousand (60,000) dollars.

#### *Bureau of Highways.*

SECT. 4. Of amount appropriated to this Department, the sum of nine hundred and seven thousand seven hundred (907,700) dollars and ninety-three (93) cents is for the expenses of the Bureau of Highways.

Item 1. For salaries: Chief of Bureau, three thousand five hundred (3,500) dollars; ten assistants and one superintendent of bridges, each one thousand eight hundred (1,800) dollars; chief clerk, two thousand (2,000) dollars; chief clerk's assistant, bill clerk, assistant and road clerk, each one thousand (1,000) dollars; reference and complaint clerk, eight hundred (800) dollars; contract clerk, one thousand two hundred (1,200) dollars; license clerk, one thousand one hundred and seventy (1,170) dollars; ten inspectors, each nine hundred (900) dollars; inspector of repairs to asphalt streets, nine hundred (900) dollars; general inspector, nine hundred (900) dollars; inspector of repairs to sewers, one thousand two hundred (1,200) dollars; two inspectors to inspect and

superintend the breaking and closing of all the streets in the City where electrical or other conduits, tubes or pipes are being laid or where connections are made with electrical or other conduits, tubes or pipes for the purpose of making house connections, one thousand one hundred (1,100) dollars each; stenographer and typewriter and messenger, each six hundred (600) dollars; two yard watchmen, each six hundred (600) dollars; total, forty-eight thousand and seventy (48,070) dollars.

Item 2. For paving intersections of streets and in front of unassessable property, one hundred thousand (100,000) dollars.

Item 3. For repairs to paved streets, to include asphalt streets and repaving around lamp posts, fire plugs and breaks in footways, for other municipal purposes, to include patent pavements, one hundred thousand (100,000) dollars.

Item 4. For repairing and maintaining unpaved streets, macadamized streets, roads, trunks, drains and bridges not exceeding eight feet span, and constructing new trunks and drains, purchasing material for and resurfacing macadamized roads and putting cinders and gravel on country roads, seventy-five thousand (75,000) dollars.

Item 5. For repairing, altering and extending sewers and inlets and trapping and retrapping inlets and cleaning sewers, twenty-five thousand (25,000) dollars.

Item 6. For grading streets and roads, two hundred thousand (200,000) dollars.

Item 7. For general repairs to bridges, forty-five thousand (45,000) dollars.

Item 8. For clerk hire and incidentals, five hundred (500) dollars; and for other expenses of the Board of Highway Supervisors, three thousand five hundred (3,500) dollars; total, four thousand (4,000) dollars.

Item 9. For printing, advertising and stationery, five thousand (5,000) dollars.

Item 10. For insurance on bridges, two hundred (200) dollars.

Item 11. For incidentals and office expenses, two thousand five hundred (2,500) dollars.

Item 11½. For hauling and yard expenses, two thousand five hundred (2,500) dollars.



Item 12. For repairing meadow banks, to include repairs to the banks of Hollanders creek, in the First and Twenty-sixth Wards, one thousand (1,000) dollars.

Item 13. For repairing and repaving and removing snow and ice from paved and macadamized streets in which passenger railway tracks are laid, twenty-five thousand (25,000) dollars: *Provided*, That if any of the passenger railway companies shall neglect or refuse to repair any streets or parts of streets after the expiration of ten days' notice from the Director of the Department of Public Works, the said Director shall be, and is hereby authorized and empowered to pole off such street or streets until the work is begun and finished and repole off any of said streets whenever the said company or companies shall discontinue the work, and any moneys expended by the said department, either in poling off or repairing said streets, shall be collected from said passenger railway company: *Provided*, That the Director be allowed to expend said sum without advertising.

Item 14. For salaries of two watchmen on Market street bridge, four on Callowhill street bridge, four on Girard avenue bridge, four on Penrose Ferry bridge, six on South street bridge, four on Walnut street bridge, and two on Chestnut street bridge, at six hundred and forty-eight (648) dollars each; two on Bridesburg bridge, two on Grays Ferry bridge, two on City avenue bridge, and one on Green lane bridge, at six hundred (600) dollars each; one on Orthodox street bridge, at five hundred (500) dollars; and for uniforms, one thousand two hundred and forty (1,240) dollars; and two engineers on Penrose Ferry bridge, at nine hundred (900) dollars each; total, twenty-four thousand five hundred and eighty-eight (24,588) dollars.

Item 15. For grading, paving and repairing footways, curbing and resetting curbs in front of City property, seven thousand (7,000) dollars.

Item 16. For crossing, gutter, and tranway stones, and repairing and repaving small and tramway streets with improved pavement when the Director of the Department of Public Works may deem the same necessary, forty thousand (40,000) dollars: *Provided*, That in repairing tramway streets where from one intersection to the next a majority of the tramway stones are broken or worn out, the Director of the Department of Public Works may substitute from curb to

curb of said streets, granolithic concrete pavement: *Provided*, That in repairing gutters where the present gutter stones from one intersection to the next are unfitted for the purpose, the Director of the Department of Public Works may pave said gutters with granolithic concrete, and payment for the above-mentioned labor and material shall be made from this item.

Item 17. For carriage hire and keep of horses for the Chief of the Bureau of Highways, eight assistants, superintendent of bridges, and one inspector each in the First, Second, Third, Fourth, and Fifth Districts, two inspectors of electrical connections, four hundred (400) dollars each, and for inspector of repairs to sewers, two horses, seven hundred (700) dollars; total, seven thousand five hundred (7,500) dollars.

Item 18. For curved curbing and adjusting inlets, forty thousand (40,000) dollars.

Item 19. For oil, coal, and engineers' stores, etc., for bridges, one thousand two hundred (1,200) dollars.

Item 20. For inspectors at the rate of seventy-five (75) dollars per month, when actually employed, ten thousand (10,000) dollars.

Item 21. For emergencies, ten thousand (10,000) dollars.

Item 22. For stone and iron cross gutters, one thousand (1,000) dollars.

Item 23. For surfacing and resurfacing macadam roads, one hundred thousand (100,000) dollars, to be expended as follows: Twenty-seventh street, from Highland avenue to Evergreen avenue; Evergreen avenue, from Twenty-seventh street to Twenty-ninth street; Twenty-ninth street, from Highland avenue to Evergreen avenue; Washington lane, from County line to Stenton avenue; Verbena avenue, from Asbury terrace to Oak lane; Evergreen avenue, from Twenty-fourth street to Prospect avenue; Rex avenue, from Germantown road to Thirtieth street; Willow Grove avenue, from Thirtieth street to Germantown road, fifteen thousand (15,000) dollars; Fifty-eighth street, Church lane, fifteen thousand (15,000) dollars; "G" street, from Nicetown lane to the bridge over the N. Y. Division of the Pennsylvania Railroad, five thousand (5,000) dollars; Lansdown avenue, from Sixty-third street to Seventieth street; Westminster avenue, from Sixty-third street to Sixty-fifth street; Sixty-three-and-a-half street, from Vine street to Hamilton street;

Sixty-fourth street, from Vine street to Haverford avenue; Sixty-first street, from Thompson street to Lansdown avenue; Sixty-four-and-a-half street, from Vine street to Hamilton street, fifteen thousand (15,000) dollars; Township line, ten thousand (10,000) dollars; State road, ten thousand (10,000) dollars; Linden avenue, five thousand (5,000) dollars; Howell street, five thousand (5,000) dollars; Academy road, ten thousand (10,000) dollars; Penrose Ferry, from Passyunk avenue to Moyamensing avenue, ten thousand (10,000) dollars: *Provided*, That the property owners shall not be released from the cost of paving the above streets as may be directed by ordinance.

Item 24. For abolishing grade crossings at Magee and Levick streets on Philadelphia and Trenton Railroad, twenty-five thousand (25,000) dollars.

Item 25. For removal of bodies on the line of Twenty-fifth street between Diamond and Norris streets, and for the purchase of lots and reinterment of bodies, three thousand eight hundred (3,800) dollars.

Item 26. For refunding the Augusta Hotel Co. amount paid for permit to construct vault, they not having availed themselves of the privilege granted them, one thousand seven hundred and fifty (1,750) dollars.

Item 27. To pay Wm. J. McNichol for hauling and repaving over ditches in 1892, two thousand five hundred and ninety-two (2,592) dollars and ninety-three (93) cents.

*Provided*, That any balance remaining to the credit of items 2, 6 and 27 of the appropriation for 1894 shall not merge; *And provided*, That in repaving streets the Director of the Department of Public Works is hereby authorized to construct sewers, lay or relay gas or water pipes in any of the said streets wherever the same may be necessary, said sewers to be built in accordance with the ordinances of May 12, 1866, and February 16, 1869, regulating the construction of sewers, any excess over and above the assessment provided for in ordinance of April 3, 1868, to be charged to Item 18, Section 7, of the ordinance making appropriation to the Department of Public Works for the year 1895, and the cost of laying and relaying gas pipes shall be charged to Item 7, Section 3, and of the laying and relaying water pipes to Items 5 and 8, Section 8, of the same ordinance, and that he may cause any specified work chargeable to Item 12, repairs to meadow banks

and Item 21, emergencies, to be done by day's labor, and that the City Controller shall approve bills for the work, labor and materials done, made or furnished prior to 1895, the aggregate amount thereof not to exceed ten thousand (10,000) dollars, the same to be taken from the several items to which they are properly chargeable.

### *Bureau of Lighting.*

SECTION 5. Of the amount appropriated to this Department, the sum of four hundred and forty-five thousand four hundred and eighty-one (445,481) dollars is for the expenses of the Bureau of Lighting, as follows :

Item 1. For salaries : Chief of Bureau, two thousand (2,000) dollars ; clerk, one thousand (1,000) dollars ; six district superintendents, each one thousand (1,000) dollars, six thousand (6,000) dollars ; total, nine thousand (9,000) dollars.

Item 2. For keep of horses and wagons for Chief of Bureau, six district superintendents, each four hundred (400) dollars, and two repair gangs, each three hundred and fifty (350) dollars, three thousand five hundred (3,500) dollars.

Item 3. For wages of lamplighters, foreman, messenger, lamp repairers, drivers and laborers, one hundred and sixty-nine thousand one hundred and thirteen (169,113) dollars.

Item 4. For lanterns, lamp glass, fittings, matches and other material and supplies, seven thousand (7,000) dollars.

Item 5. For printing, advertising and other incidentals, six hundred (600) dollars.

Item 6. For furnishing naphtha to, and lighting all and every night extinguishing, cleansing and repairing ten thousand four hundred and eighty-three (10,483) lamps of the Maloney Company Patent, now erected at twenty-one (21) dollars each, and two hundred and fifty (250) lamps for six months (to be changed to gas lamps), two hundred and twenty-two thousand seven hundred and sixty-eight (222,768) dollars ; for furnishing naphtha to, and lighting all and every night extinguishing, cleansing and repairing new lamps of the Maloney Company Patent, to be erected during the year 1895 at the rate of twenty-one (21) dollars, fourteen thousand (14,000) dollars ; for renewals, and to pay for lamps belonging to contractor, taken for gas, two thousand five hundred (2,500) dollars : *Provided*, That no gasoline lamp

shall be located on any street where gas mains are laid. Total, two hundred and thirty-nine thousand two hundred and sixty-eight (239,268) dollars.

Item 7. For lighting Northern Liberties District, four thousand (4,000) dollars.

Item 8. For extensions, including new gas lamps, thirteen thousand (13,000) dollars.

### *Bureau of Street Cleaning.*

SECTION 6. Of the amount appropriated to this Department, the sum of seven hundred and eighty-three thousand nine hundred and eleven (783,911) dollars and seventy-five (75) cents is for the expenses of the Bureau of Street Cleaning, as follows:

Item 1. For salary of Chief of Bureau, two thousand five hundred (2,500) dollars; ten (10) inspectors, each one thousand three hundred (1,300) dollars, thirteen thousand (13,000) dollars; clerk, one thousand (1,000) dollars; one assistant clerk, eight hundred (800) dollars; messenger, seven hundred and twenty (720) dollars; in all, eighteen thousand and twenty (18,020) dollars.

Item 2. For keep of horses and wagons for Chief of Bureau and ten (10) inspectors, each four hundred (400) dollars, four thousand four hundred (4,400) dollars.

Item 3. For printing, stationery and incidentals, seven hundred (700) dollars.

Item 4. For cleaning streets, inlets and public market houses, and for the removal and disposal of ashes, garbage and dead animals, seven hundred and fifty-five thousand seven hundred and ninety-one (755,791) dollars and seventy-five (75) cents.

Item 5. For removing snow from the streets surrounding the New City Hall, and the bridges spanning the Schuylkill river, five thousand (5,000) dollars.

### *Bureau of Surveys.*

SECT. 7. Of the amount appropriated to this department, the sum of seven hundred and fifty-nine thousand nine hundred and ten (759,910) dollars shall be for the expenses of the Bureau of Surveys, as follows:

Item 1. For the salaries of the chief engineer and surveyor four thousand (4,000) dollars; principal assistant engineer, three thousand five hundred (3,500) dollars; three assistant engineers, one thousand eight hundred (1,800) dollars each, five thousand four hundred (5,400) dollars; one assistant engineer, one thousand five hundred (1,500) dollars; recording clerk, one thousand eight hundred (1,800) dollars; assistant recording clerk, one thousand (1,000) dollars; draughtsman one thousand five hundred (1,500) dollars; sewer registrar one thousand five hundred (1,500) dollars; draughtsman, one thousand four hundred (1,400) dollars; two draughtsmen, one thousand (1,000) dollars each, two thousand (2,000) dollars; sewer clerk, one thousand (1,000) dollars; stenographer and typewriter, nine hundred (900) dollars; rodman and messenger, eight hundred and twenty (820) dollars; janitor, seven hundred and twenty (720) dollars; registrar, two thousand (2,000) dollars; registry clerk, one thousand one hundred (1,100) dollars; search clerk, one thousand one hundred (1,100) dollars; four draughtsmen at one thousand (1,000) dollars each, four thousand (4,000) dollars; five draughtsmen, at nine hundred (900) dollars each, four thousand five hundred (4,500) dollars; custodian of records, eight hundred (800) dollars; one typewriter, seven hundred and twenty (720) dollars; total, forty-one thousand two hundred and sixty (41,260) dollars, and for a temporary engineers corps, as follows: one assistant engineer, one thousand six hundred (1,600) dollars; one draughtsman, one thousand two hundred (1,200) dollars; one transitman, eight hundred and forty (840) dollars; one rodman, seven hundred and twenty (720) dollars; one chainman, five hundred (500) dollars; two draughtsmen, six hundred (600) dollars each, one thousand two hundred (1,200) dollars; two draughtsmen, seven hundred and twenty (720) dollars each, one thousand four hundred and forty (1,440) dollars; two draughtsmen, nine hundred (900) dollars each, one thousand eight hundred (1,800) dollars; two draughtsmen, one thousand (1,000) dollars each, two thousand (2,000) dollars; two draughtsmen, one thousand two hundred (1,200) dollars each, two thousand four hundred (2,400) dollars; one draughtsman, one thousand five hundred (1,500) dollars; and for expenses of said corps, eight hundred (800) dollars; total, sixteen thousand (16,000) dollars.

Item 2. For stationery, record books, draughting materials and instruments, three thousand (3,000) dollars.

Item 3. For cleansing offices, carpeting, carriage hire, advertising and incidentals, two thousand (2,000) dollars; and for recording dedications of streets, five hundred (500) dollars; in all, two thousand five hundred (2,500) dollars.

Item 4. For salaries of thirteen district surveyors and regulators, at three thousand (3,000) dollars each, thirty-nine thousand (39,000) dollars; and for wages of employees, expenses, rent, furniture, tools and instruments, carriage hire and horse keep and incidentals: In the first district, seven thousand seven hundred and forty-seven (7,747) dollars; in the second district, seven thousand five hundred (7,500) dollars; in the third district, twelve thousand six thousand (12,600) dollars; in the fourth district, twelve thousand one hundred (12,100) dollars; in the fifth district, seven thousand nine hundred (7,900) dollars; in the sixth district, ten thousand one hundred and forty (10,140) dollars; in the seventh district, eight thousand (8,000) dollars; in the eighth district, ten thousand five hundred (10,500) dollars; in the ninth district, eight thousand (8,000) dollars; in the tenth district, thirteen thousand eight hundred and eighty (13,880) dollars; in the eleventh district, nine thousand eight hundred (9,800) dollars; in the twelfth district, seven thousand (7,000) dollars; in the thirteenth district, nine thousand six hundred and thirty-three (9,633) dollars, and for equipment and purchase of old plans, etc., two thousand (2,000) dollars; in all, one hundred and sixty-five thousand eight hundred (165,800) dollars: *Provided*, That the fees earned in each district shall amount to the salaries of District Surveyors, excepting during the months of January, February and March, and that the said salaries and expenses for said months shall be made up during the balance of the year by fees earned.

Item 5. For corner stones and replacing landmarks, five hundred (500) dollars.

Item 6. For examination of bridges and sewers, one thousand (1,000) dollars.

Item 7. For new surveys and work ordered by Councils not otherwise provided for, two hundred and fifty (250) dollars.

Item 8. For renewing plans and descriptions and re-binding plan books in the Registry Bureau, one thousand (1,000) dollars.

Item 9. For rearranging indexes and descriptions in the Registry Bureau, one thousand five hundred (1,500) dollars.

Item 10. For carriage hire and keep of horse for the chief, principal and assistant engineers, one thousand two hundred (1,200) dollars.

Item 11. For expenses attending the preparation of plans of the Port of Philadelphia for the increase of its landing accommodations, one thousand two hundred (1,200) dollars.

Item 12. For salaries of three (3) inspectors of drain connections, one thousand two hundred (1,200) dollars each, three thousand six hundred (3,600) dollars.

Item 13. For salary of one supervisor of the intercepting sewer, nine hundred (900) dollars.

Item 14. For engraving and printing maps of the City, two hundred (200) dollars.

Item 15. For the repair, reconstruction and improvement of old sewers, and construction of manholes, ventilators and inlets for the same, twenty-five thousand (25,000) dollars.

Item 16. For removing objectionable footway gutters, fifteen thousand (15,000) dollars.

Item 17. For the reconstruction of inlets, thirty thousand (30,000) dollars.

Item 18. For branch sewers, two hundred and twenty-five thousand (225,000) dollars.

Item 19. For removal of shoal places and other impediments as now interfere with the navigation of large vessels to and from the Port of Philadelphia, two hundred and twenty-five thousand (225,000) dollars: *Provided*, That forty thousand (40,000) dollars of this appropriation shall be expended for work on the Schuylkill river from Fifty-eighth street to the mouth of said river.

*Provided*, That the City Controller may approve bills for labor and material done or furnished prior to 1895, the amount thereof not to exceed five thousand (5,000) dollars: *And provided further*, That any balances remaining to the credit of Items 15, 16, 17, 18, 19, 20, 21, 22, 24, 27, 28, 30, 31 and 32 of the appropriation for 1894, shall not be merged: *And provided also*, That the Director of the Department of Public Works shall have and hereby has authority to require a certified check for a sum not less than two (2) per cent. of the amount of the proposal for any work as additional security,



in excess of the amount already required by Ordinance of Councils; said check to be drawn to the order of the Treasurer of the City of Philadelphia, and to be returned immediately after the award of contract has been made.

*Bureau of Water.*

SECT. 8. Of the amount appropriated to this department, the sum of one million thirty-one thousand eight hundred and four (1,031,804) dollars is for the expenses of the Bureau of Water, as follows:

Item 1. For salary of Chief of Bureau, six thousand (6,000) dollars; chief clerk, two thousand (2,000) dollars; assistant clerk, one thousand two hundred (1,200) dollars; correspondence clerk, nine hundred (900) dollars; time clerk, one thousand (1,000) dollars; messenger, seven hundred and twenty (720) dollars; draughtsman, one thousand eight hundred (1,800) dollars; two draughtsmen, each one thousand (1,000) dollars, two thousand (2,000) dollars; draughtsman, nine hundred (900) dollars; general superintendent, three thousand five hundred (3,500) dollars; clerk and paymaster, one thousand one hundred (1,100) dollars; clerk nine hundred (900) dollars; assistant to chief, two thousand (2,000) dollars; clerk, one thousand (1,000) dollars; assistant clerk, nine hundred (900) dollars; pipe inspector, one thousand three hundred and fifty (1,350) dollars; pipe clerk, eight hundred and fifty (850) dollars; assistant to chief, one thousand six hundred (1,600) dollars; search clerk, one thousand two hundred (1,200) dollars; assistant search clerk, one thousand (1,000) dollars; assistant clerk, eight hundred and fifty (850) dollars; chief inspector, one thousand two hundred (1,200) dollars; nineteen (19) inspectors, each one thousand (1,000) dollars, nineteen thousand (19,000) dollars; permit clerk, one thousand two hundred (1,200) dollars; assistant permit clerk, one thousand one hundred (1,100) dollars; purveyor, one thousand eight hundred (1,800) dollars; five (5) purveyors, each one thousand four hundred and eighty (1,480) dollars, seven thousand four hundred (7,400) dollars; six (6) purveyors' clerks, each eight hundred (800) dollars, four thousand eight hundred (4,800) dollars; six (6) purveyors' assistant clerks, each seven hundred and fifty (750) dollars, four thousand five hundred (4,500) dollars; yard keeper, fourth district, nine hundred and fifteen (915) dollars; ten (10) hydrant inspectors, each seven

hundred and five (705) dollars, seven thousand and fifty (7,050) dollars; general foreman, one thousand (1,000) dollars; six (6) general foremen, each nine hundred and thirty-nine (939) dollars, five thousand six hundred and thirty-four (5,634) dollars; five (5) foremen of repairs, each seven hundred and eighty (780) dollars, three thousand nine hundred (3,900) dollars; superintendent of shop, one thousand five hundred (1,500) dollars; clerk to superintendent of shop, nine hundred (900) dollars; two (2) engineers Spring Garden Pumping Station, each one thousand two hundred (1,200) dollars, two thousand four hundred (2,400) dollars; one engineer one thousand two hundred (1,200) dollars; two (2) engineers Fairmount Pumping Station, each one thousand one hundred (1,100) dollars, two thousand two hundred (2,200) dollars; nine (9) engineers, each one thousand (1,000) dollars, nine thousand (9,000) dollars; four (4) engineers, Roxborough, Auxiliary and Georges Hill Stations, eight hundred and fifty (850) dollars each, three thousand four hundred (3,400) dollars; two (2) engineers, each (with houses), eight hundred and ten (810) dollars, one thousand six hundred and twenty (1,620) dollars; two (2) engineers, each eight hundred and ten (810) dollars, one thousand six hundred and twenty (1,620) dollars; engineer, seven hundred and fifty (750) dollars; helper, seven hundred and fifty (750) dollars; forty-six (46) oilers, each eight hundred (800) dollars, thirty-six thousand eight hundred (36,800) dollars; eighty-four (84) firemen, each eight hundred and fifty (850) dollars, seventy-one thousand four hundred (71,400) dollars; twenty-eight (28) coal passers, each seven hundred and twenty-five (725) dollars, twenty thousand three hundred (20,300) dollars; two (2) storekeepers, each seven hundred (700) dollars, one thousand four hundred (1,400) dollars; foreman of machinists, one thousand five hundred (1,500) dollars; foreman of bricklayers, one thousand one hundred (1,100) dollars; foreman of carpenters, one thousand (1,000) dollars; foremen of stonemasons, painters and riggers, each nine hundred (900) dollars, two thousand seven hundred (2,700) dollars; foreman of laborers, eight hundred and forty (840) dollars; thirty-five (35) watchmen, each six hundred and seventy-five (675) dollars, twenty-three thousand six hundred and twenty-five (23,625) dollars; five (5) policemen (with forty (40) dollars each for the purchase of uniforms), each seven hundred and fifty (750) dollars, three thousand nine hundred and fifty (3,950) dollars; janitor main

office, seven hundred and twenty (720) dollars; six (6) janitors, each six hundred (600) dollars, three thousand six hundred (3,600) dollars; river watchman, nine hundred and sixty (960) dollars; lineman, one thousand (1,000) dollars; telephone operator (night) six hundred (600) dollars; telephone operator and clerk, five hundred (500) dollars; electrician, one thousand two hundred (1,200) dollars; general storekeeper, one thousand (1,000) dollars; total, two hundred and ninety-one thousand eight hundred and four (291,804) dollars.

Item 2. For general supplies, including fuel, oil and small stores, one hundred and fifty thousand (150,000) dollars.

Item 3. For repairs to machinery, including the conveyance of workmen incident thereto, sixty thousand (60,000) dollars.

Item 4. For maintenance and repairs to buildings, grounds and reservoirs, seventy-five thousand (75,000) dollars.

Item 5. For repairs and improvement of the distribution, including the purchase of material in connection therewith and expenses incident thereto, one hundred thousand (100,000) dollars.

Item 6. For supplies, including fuel and labor, at the City construction and repair shop, seventy-five thousand (75,000) dollars.

Item 7. For general, incidental and contingent expenses, including keep of horse for Chief of Bureau, General Superintendent and Assistant to Chief, each four hundred (400) dollars, fifteen thousand (15,000) dollars.

Item 8. For the purchase of material and cost of labor in connection with the laying of service pipe, and expenses incident thereto, two hundred and twenty-five thousand (225,000) dollars.

Item 9. For service pipe, forty thousand (40,000) dollars.

*Provided*, That nothing in this ordinance shall prevent the Director of the Department of Public Works from laying water pipe or making repairs by day's work, or from the employment of any additional service when the exigencies require: *Provided*, That laborers be paid not less than one (1) dollar and seventy-five (75) cents per day.

*Provided further*, That the City Controller shall approve bills for labor or material, done, made or furnished prior to 1895, to the Bureau of Water, the aggregate amount thereof to not exceed the sum of sixty-five thousand (65,000) dollars.

SECT. 9. When the Director of the Department of Public Works is obliged to employ labor to do work under neglected or annulled contracts, then payment shall be made from the item against which such contracts are charged, and the amount so paid charged against the contractor on the amount set aside for such neglected or annulled contracts.

SECT. 10. That all bids shall be opened and all contracts awarded in the presence of the Committee of Councils having supervision. And that no contract shall be entered into extending beyond December 31, 1895, without the approval of Councils.

SECT. 11. Warrants shall be drawn as follows :

For the employees of the City Ice Boats: One warrant payable monthly.

For the Bureau of Gas: For the employees of the main office, meter and pipe inspector's departments, service gang, and Spring Garden offices, one warrant; for employees in the distribution department and holder stations at Ninth and Diamond, Ninth and Mifflin and Twenty-fifth and Callowhill streets, one warrant; for the employees at the Ninth Ward Works, one warrant; for employees at the Twenty-fifth Ward Works, one warrant; for employees at the Point Breeze Works, one warrant; for the employees on the Germantown, Frankford and Manayunk rolls, one warrant; employees of the Bureau of Gas are to be paid semi-monthly.

For the employees in the Bureau of Lighting: One warrant, payable semi-monthly.

For the Bureau of Water: For the employees of the hydrographic corps roll, one warrant, payment once every two months: for the employees at the pumping stations, one warrant for each station, payment monthly. The following employees in the Bureau of Water to be paid semi-monthly: for the employees in the Purveyors' districts, one warrant for each district; for the employees of the City construction and repair shop, one warrant: for the employees upon the improvement for distribution and contingent roll, one warrant; for the employees upon the buildings, grounds and reservoirs roll, one warrant.

Warrants for the Director's Office shall be drawn by the Director of the Department of Public Works. Warrants for the City Ice Boats shall be drawn by the Superintendent, and

all other warrants by the chiefs of the respective Bureaus, and shall be approved by the Director of the Department of Public Works.

SECT. 12. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Amendatory to an ordinance entitled "An Ordinance permitting the Holmesburg, Tacony and Frankford Electric Railway Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires," approved December 23, 1892.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance permitting the Holmesburg, Tacony and Frankford Electric Railway Company to use electric motors to be supplied from overhead wires, and to erect and maintain poles to support said wires," approved December 23, 1892, be amended so as to include the following: "On Bristol pike, from Longshore street to Delaware avenue, and on State road or Tacony street, from Delaware avenue to Grant avenue or Stevenson road, and on Grant avenue or Stevenson road, from State road to Bristol pike, in the Thirty-fifth Ward of the City of Philadelphia, with the right to use wooden poles on suburban roads, and with the further right to use double tracks with crossovers, or single tracks with turnouts over the entire route heretofore and herein named," under and subject to all the conditions in the ordinance of December 23, 1892. The sum of fifty (50) dollars shall be paid into the City Treasury by said company for printing this ordinance.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To amend an ordinance entitled "An Ordinance granting permission to the Southern Passenger Railway Company to lay tracks in the First, Second, Twenty-sixth, Thirtieth and Thirty-sixth Wards, to use electric motors to be supplied from overhead wires and erect and maintain poles to support said wires," approved July 3, 1893.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance granting permission to the Southern Passenger Railway Company to lay tracks in the First, Second, Twenty-sixth, Thirtieth and Thirty-sixth Wards, to use electric motors to be supplied from overhead wires and erect and maintain poles to support said wires," approved July 3, 1893, be altered and amended so as to read: "On Moyamensing avenue, from Carpenter to Christian street; on Christian street, from Moyamensing avenue to the Delaware river; on Front street, from Christian to Reed street; on Reed street, from the Delaware river to Moyamensing avenue, with double track on Reed street, from the Delaware river to Front street; on Reed street, from Seventeenth to Twenty-third street; also, double track on Christian street, from Delaware river to Front street; also, on Twenty-fifth street, from Reed to Wharton street: *Provided*, That fifty (50) dollars shall be first paid into the City Treasury for printing this ordinance.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

Authorizing the Union Passenger Railway Company and its lessee to make further extensions, and to use electric motors, to be supplied from overhead wires, and to erect and maintain poles to support the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Union Passenger Rail-

way Company, in accordance with its charter, is hereby authorized to lay a single track on Montgomery avenue, from Franklin to Ninth; on Ninth street, from Montgomery avenue to Dauphin; on Somerset street, from Twelfth to Fifteenth street; on Fourth street, from Norris to Indiana avenue; on Hare, from Twenty-third to Twenty-seventh; on Twenty-seventh, from Hare to Brown; and on Clearfield street, from Fifteenth to Seventeenth, with the necessary curves and connections. And it and its lessee, the Philadelphia Traction Company, are hereby authorized to use electric motors as the propelling power of the cars, with the necessary standards and appliances needed to operate the same by overhead wires, subject to the conditions of the Union Passenger Railway ordinance, approved March 30, 1893, and that the work shall be commenced within one year and completed within two years after the passage of this ordinance. And that fifty (50) dollars be paid by said company into the City Treasury for printing this ordinance.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To regulate the driving of horned cattle, sheep and swine through the streets of the City of Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That it shall not be lawful to drive horned cattle, sheep or swine through the streets of Philadelphia from the first day of January to the thirty-first day of December, between the hours of 5 A. M. and 8 P. M. ; *Provided*, That it shall not be lawful to drive any horned cattle, sheep or swine within the limits of this city at any hour on Sunday.

SECT. 2. If any horned cattle, sheep or swine die on the public highway, or become so exhausted, or be injured so as to be unable to proceed, it shall be the duty of the owner, or owners, or person or persons in charge, to have such dead, sick or injured animal removed within two hours.

SECT. 3. It shall not be lawful to drive cattle, sheep or swine, in droves of more than thirty cattle, or fifty hogs, or one hundred sheep, and the droves shall be kept not less than five hundred feet apart, and no drove shall be in charge of less than two persons. Bulls and cows shall not be driven in the same drove.

SECT. 4. It shall and may be lawful to lead cattle by halter through the streets of the City of Philadelphia at any time ; *Provided*, That not more than two animals shall be so led at the same time by one person.

SECT. 5. It shall not be lawful to drive horned cattle, sheep or swine upon that portion of any street which bounds upon any public square.

SECT. 6. Any person or persons violating any of the provisions of this ordinance, being either the owner or driver or both, of any horned cattle, sheep or swine, shall be guilty of a nuisance and shall be subject to a penalty of ten dollars for the first offence and for each subsequent offense, for each animal driven in violation of the provisions of this ordinance, the said penalty to be imposed by any Magistrate before whom the party offending shall be taken.

SECT. 7. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make certain transfers in the annual appropriation to the Clerks of Councils and Department of Public Safety, Bureau of Police, for the year 1894.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be authorized and directed to make the following transfers in the annual appropriation to the Clerks of Councils for the year 1894 ; from Item 10, " World's Fair," the sum of thirty-one



(31) dollars and ninety-seven (97) cents; from Item 11, "Fourth of July," the sum of six hundred and fifty-one (651) dollars and six (6) cents; total, six hundred and eighty-three (683) dollars and three (3) cents, to Item 5, "Stationery," four hundred and eighty-three (483) dollars and three (3) cents; to Item 3, binding Journals, etc., two hundred (200) dollars; from Item 7, "for incidentals, etc.," two hundred (200) dollars, to new Item 1½, "for preparing schedules and statements for the Finance Committee." All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed. Department of Public Safety, Bureau of Police, from Item 1, "for salaries," five hundred (500) dollars; from Item 18, "for straw, etc.," two hundred and thirty-four (234) dollars; in all, seven hundred and thirty-four (734) dollars, to Item 3, "for miscellaneous expenses of van service and pay of drivers and hostlers," in the annual appropriation to the Department of Public Safety, for the year 1894.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To make an appropriation to the Department of Public Safety for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of four million nine hundred and seventy-eight thousand two hundred and forty-two (4,978,242) dollars and eighty-four (84) cents be, and the same is hereby appropriated to the Department of Public Safety for the year 1895.

### *Director's Office.*

Of amount appropriated to this Department the sum of eighteen thousand nine hundred and twenty-one (18,921) dollars and twenty-five (25) cents is for the expenses of the Director's office as follows:

Item 1. For salary of Director, ten thousand (10,000) dollars.

Item 2. For salaries: Secretary, two thousand four hundred (2,400) dollars; book-keeper, two thousand (2,000) dollars; clerk, one thousand (1,000) dollars; stenographer and typewriter, nine hundred (900) dollars; messenger, eight hundred and twenty-one (821) dollars and twenty-five (25) cents; office boy, three hundred (300) dollars; total, seven thousand four hundred and twenty-one (7,421) dollars and twenty-five (25) cents.

Item 3. For maintenance and keep of horse and carriage, five hundred (500) dollars.

Item 4. For stationery, law books and incidental expenses, one thousand (1,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interests of the City, to purchase, or contract, without advertising, bills not exceeding the sum of one hundred (100) dollars.

### *Bureau of Police*

SECT. 2. Of the amount appropriated to this Department the sum of two million four hundred and three thousand six hundred and nine (2,403,609) dollars and seventy-five (75) cents, is for the expenses of the Bureau of Police, as follows:

Item 1. For salaries: Superintendent of Police, four thousand five hundred (4,500) dollars; Chief Clerk, one thousand eight hundred (1,800) dollars; two assistant clerks, one thousand one hundred (1,100) dollars each, two thousand two hundred (2,200) dollars; central station clerk, one thousand five hundred (1,500) dollars; clerk to superintendent of police, one thousand two hundred (1,200) dollars; assistant clerk to superintendent, one thousand one hundred (1,100) dollars; store-house clerk, nine hundred (900) dollars; clerk of Detectives, one thousand five hundred (1,500) dollars; complaint clerk, one thousand (1,000) dollars; messenger, eight hundred and twenty-one (821) dollars and twenty-five (25) cents; driver of supply wagon, seven hundred and fifty (750) dollars; fire marshal, one thousand eight hundred (1,800) dollars; surgeon, one thousand eight hundred (1,800) dollars; five captains, one thousand eight hundred (1,800) dollars each, and uniforms, one hundred (100) dollars each, nine thousand five hundred (9,500) dollars; captain of detective squad, one thousand nine hundred (1,900) dollars; twelve detectives, one thousand four hundred and fifty (1,450) dollars each, seven-

teen thousand four hundred (17,400) dollars; two detectives, one thousand two hundred (1,200) dollars each, two thousand four hundred (2,400) dollars; one court detective, one thousand (1,000) dollars; one night detective, nine hundred and twelve (912) dollars and fifty (50) cents; thirty-three lieutenants, one thousand four hundred (1,400) dollars each, and clothing, seventy-five (75) dollars each; total, forty-eight thousand six hundred and seventy-five (48,675) dollars; eighty-four street sergeants, one thousand two hundred (1,200) dollars each, and clothing, fifty (50) dollars each, one hundred and five thousand (105,000) dollars; one hundred and ten telegraph sergeants, at one thousand (1,000) dollars each; and clothing, forty (40) dollars each, one hundred and fourteen thousand four hundred (114,400) dollars; one thousand eight hundred and thirty-eight patrolmen, and uniforms, forty (40) dollars each, one million seven hundred and twenty-four thousand six hundred and eighty-eight (1,724,688) dollars and seventy-five (75) cents: *Provided*, That all patrolmen sworn in during the year 1895, shall be paid at the rate of two (2) dollars and twenty-five (25) cents per day; all patrolmen sworn in during the year 1894 shall be paid at the rate of two (2) dollars and forty (40) cents per day; and all sworn in during 1893 shall be paid two (2) dollars and fifty (50) cents per day. One hundred and seventy-five substitute patrolmen, at one (1) dollar and seventy-five (75) cents per diem, each, one hundred and eleven thousand seven hundred and eighty-one (111,781) dollars and twenty-five (25) cents: *Provided*, The Director shall be allowed, when in his judgment he deems it necessary, to detail said substitute patrolmen for quarantining purposes. Twelve patrolmen in public squares, from June 1st to November 1st, at two (2) dollars and twenty five (25) cents per diem, each, four thousand one hundred and thirty-one (4,131) dollars; six engineers, at one thousand and fifty (1,050) dollars each; uniforms, at forty (40) dollars each, six thousand five hundred and forty (6,540) dollars; six pilots, one thousand one hundred and fifty (1,150) dollars each, uniforms at forty (40) dollars each, seven thousand one hundred and forty (7,140) dollars; six firemen, at nine hundred and twelve (912) dollars and fifty (50) cents each, uniforms at forty (40) dollars each, five thousand seven hundred and fifteen (5,715) dollars; forty-two patrol sergeants, at one thousand (1,000) dollars each, uniforms at forty (40) dollars each, forty-three thousand six hundred and eighty

(43,680) dollars; meat detective, one thousand three hundred and fifty (1,350) dollars; veterinary surgeon, one thousand (1,000) dollars; consulting surgeon, five hundred (500) dollars; seventeen matrons, six hundred (600) dollars each, ten thousand two hundred (10,200) dollars; total, two million two hundred and thirty-eight thousand seven hundred and eighty-four (2,238,784) dollars and seventy-five (75) cents.

Item 2. For cleaning station and patrol houses, rooms and cells, including cleaning utensils and removal of ashes, fifteen thousand (15,000) dollars.

Item 3. For miscellaneous expenses of van service, including pay for drivers and hostlers, thirteen thousand five hundred (13,500) dollars.

Item 4. For meals, medical attendance at station houses and transportation, four thousand (4,000) dollars.

Item 5. For badges, batons, rattles, buttons, belts, lanterns, etc., two thousand five hundred (2,500) dollars.

Item 6. For placing street names upon the public lamps, sign boards and road posts, two thousand (2,000) dollars: *Provided*, That warrants may be countersigned on this item without advertising upon the approval of bills by the Director of the Department of Public Safety.

Item 7. For fuel and ice at station houses and police boats, fourteen thousand eight hundred (14,800) dollars.

Item 8. For incidental and miscellaneous expenses of station houses, two thousand (2,000) dollars.

Item 9. For stationery and printing, two thousand (2,000) dollars.

Item 10. For taking up dogs and goats and killing the same, three thousand five hundred (3,500) dollars.

Item 11. For arrest and conviction of offenders, foreign telegraph service in procuring evidence in the alleged violation of law and for the pursuit of criminals who have escaped beyond the limits of the city, two thousand five hundred (2,500) dollars: *Provided*, The Controller shall countersign warrants against this item for bills incurred in 1894.

Item 12. For general advertising, two hundred (200) dollars.

Item 13. For repairs, miscellaneous expenses of running police boats, including the purchase of hose, ropes, boats, hardware and general supplies, ten thousand (10,000) dollars.

Item 14. For payments to hospitals for ambulance service, German (2), Episcopal (2), Presbyterian, University, Children's Homœopathic, Germantown, Jewish, St. Mary's, St. Agnes', St. Joseph's, Medico-Chirurgical, Children's, St. Timothy, Hahnemann, Methodist Episcopal, Samaritan and Jefferson Medical College Hospitals, three hundred and seventy-five (375) dollars each, seven thousand one hundred and twenty-five (7,125) dollars.

Item 15. For purchase of horses for the van, patrol and mounted service, fourteen thousand (14,000) dollars.

Item 16. For miscellaneous expenses of patrol wagons, five hundred (500) dollars.

Item 17. For straw, feed and keep of horses, including horse-shoeing, forty-five thousand (45,000) dollars.

Item 18. For harness and repairs and stable supplies, six thousand (6,000) dollars.

Item 19. For bedding and furniture for station and patrol houses, ten thousand (10,000) dollars.

Item 20. For supplies for patrol wagon for sick and injured, two hundred (200) dollars.

Item 21. For Police Pension Fund, ten thousand (10,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interests of the city, to purchase or contract, without advertising, bills for this bureau not exceeding the sum of one hundred (100) dollars.

### *Bureau of Health.*

SECT. 3. Of amount appropriated to this department, the sum of one hundred and ninety-six thousand and twenty (196,020) dollars is for the expenses of the Bureau of Health, as follows :

Item 1. For salaries : Health officer (fixed by Act of Assembly), two thousand one hundred (2,100) dollars ; chief clerk, one thousand eight hundred (1,800) dollars ; first assistant clerk, one thousand five hundred (1,500) dollars ; two assistant clerks, one thousand two hundred (1,200) dollars each, two thousand four hundred (2,400) dollars ; two assistant clerks, one thousand (1,000) dollars each, two thousand (2,000) dollars : chief registration clerk, one thousand five hundred (1,500) dollars ; nine assistant registration clerks, one thousand (1,000)

dollars each, nine thousand (9,000) dollars. Port Physician, one thousand two hundred (1,200) dollars; messenger, eight hundred (800) dollars; medical inspector, including carriage hire, two thousand three hundred (2,300) dollars: *Provided*, That the said inspector shall inspect the school buildings belonging to the city, and report their condition and his recommendation at the close of the year; typewriter for medical inspector, six hundred (600) dollars; fifteen assistant medical inspectors, five of whom shall be physicians of the Homœopathic School of practice, one thousand two hundred (1,200) dollars each, eighteen thousand (18,000) dollars; chief inspector of nuisances, one thousand nine hundred (1,900) dollars, including carriage hire; chief inspector's clerk, one thousand (1,000) dollars; twenty inspectors, one thousand (1,000) dollars each, twenty thousand (20,000) dollars; two collectors of vital statistics, one thousand (1,000) dollars each, two thousand (2,000) dollars; two inspectors of privy cleaning, nine hundred (900) dollars each, one thousand eight hundred (1,800) dollars: one vessel inspector, nine hundred (900) dollars; stenographer and typewriter, seven hundred and fifty (750) dollars; chief clerk to health officer (fixed by Act of Assembly) one thousand two hundred (1,200) dollars; assistant to chief clerk, eight hundred (800) dollars; three house cleaners, three hundred and sixty (360) dollars each, one thousand and eighty (1,080) dollars; medical attendant at Municipal Hospital, two thousand (2,000) dollars; resident physicians, twelve hundred (1,200) dollars; steward, seven hundred (700) dollars; matron, three hundred and sixty (360) dollars; disinfector, including carriage hire, one thousand four hundred (1,400) dollars: six assistant disinfectors, nine hundred dollars each, five thousand four hundred (5,400) dollars; chief inspector of milk, including carriage hire, one thousand nine hundred (1,900) dollars; four assistant inspectors of milk, one thousand and twenty (1,020) dollars each, including car fare, four thousand and eighty (4,080) dollars; five collectors of milk, seven hundred and twenty (720) dollars each, including car fare, three thousand six hundred (3,600) dollars; chemist, one thousand five hundred (1,500) dollars; chief inspector of house drainage, including carriage hire, two thousand four hundred (2,400) dollars; twelve assistant inspectors at one thousand two hundred (1,200) dollars each, fourteen thousand four hundred (14,400) dollars; clerk, one thousand two hundred (1,200) dollars; total, one hundred and fourteen thousand seven hundred and seventy (114,770) dollars.

Item 2. For pay of vaccine physicians, seven thousand five hundred (7,500) dollars : *Provided*, the Controller shall countersign warrants on this item for 1894.

Item 3. For purchase of vaccine virus, one thousand eight hundred (1,800) dollars : *Provided*, the Controller shall countersign warrants on this item for 1894.

Item 4. For postage, miscellaneous and incidental expenses, including use of telephone, one thousand three hundred (1,300) dollars.

Item 5. For stationery and printing, blank books, advertising, books for library, executing the registration act, printing rules and information for the preservation of the public health, three thousand four hundred (3,400) dollars.

Item 6. For removal of nuisances and expenses incidental thereto, and making special sanitary inspections for quarantining infected houses, twenty thousand (20,000) dollars ; *Provided*, The Controller shall countersign warrants on this item for 1894.

Item 7. For disinfecting tank, horses, drivers, etc., purchase of disinfecting apparatus, materials, etc., five thousand (5,000) dollars.

Item 8. For insurance and repairs to buildings, grounds, etc., at Lazaretto, one thousand two hundred and fifty (1,250) dollars.

Item 9. For the care of patients, including the pay of cooks, nurses, fireman, gardener and drivers of ambulances, disinfector, etc., five thousand (5,000) dollars : *Provided*, That the Controller may countersign warrants on this item for 1894.

Item 10. For board and washing for patients, nurses, officers, etc., four thousand five hundred (4,500) dollars : *Provided*, That warrants shall be drawn against this item without advertisement whenever the bill is approved by the President *pro tem.* and Secretary of the Board of Health and the proper committee thereof, and by the Director of Public Safety : *Provided*, The Controller may countersign warrants on this item for 1894.

Item 11. For clothing, bedding, furniture, repairs, lights, brushes, soap, cleansing, drugs, collins and burial expenses, two thousand (2,000) dollars : *Provided*, The Controller may countersign warrants on this item for 1894.

Item 12. For fuel, one thousand five hundred (1,500) dollars.

Item 13. For the purchase of horses, vehicles, and harness, and keep of and repairs to same, one thousand two hundred (1,200) dollars.

Item 14. For insurance and general improvements and repairs to buildings, grounds, and appurtenances, one thousand two hundred (1,200) dollars.

Item 15. For the purchase of chemicals, apparatus, and incidentals for laboratory, five hundred (500) dollars: *Provided*, That warrants shall be drawn against this item without advertisement whenever the bill is approved by the proper committee of the Board of Health and by the Director.

Item 16. For payment of magistrates' and constables' fees in the execution of the milk law, one hundred (100) dollars.

Item 17. For special sanitary inspections and general expenses necessary in placing the city in good sanitary condition, ten thousand (10,000) dollars.

Item 18. To establish a bacteriological division in the Bureau of Health, to purchase the supplies and apparatus for the same, and to pay the salary of a bacteriologist and assistant, fifteen thousand (15,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interest of the City, to purchase or contract, without advertising, bills for this Bureau not exceeding the sum of one hundred (100) dollars.

#### *Bureau of Fire and Fire Escapes.*

SECT. 4. Of amount appropriated to this Department, the sum of eight hundred and ninety-nine thousand seven hundred and forty-seven (899,747) dollars and fifty (50) cents, is for the expenses of the Bureau of Fire and Fire Escapes, as follows:

Item 1. For salaries of Chief Engineer, three thousand (3,000) dollars; eight assistant engineers, each one thousand six hundred (1,600) dollars—twelve thousand eight hundred (12,800) dollars; Joseph T. Hammond, one thousand two hundred (1,200) dollars; secretary, one thousand three hundred and fifty (1,350) dollars; clerk at store house, nine hundred (900) dollars; messenger, seven hundred (700) dollars; assistant clerk, nine hundred (900) dollars; four telephone opera-



tors, each nine hundred (900) dollars—three thousand six hundred (3,600) dollars ; driver of supply wagon, seven hundred and fifty (750) dollars ; fifty-seven foremen, one thousand one hundred and fifty (1,150) dollars each, sixty-five thousand five hundred and fifty (65,550) dollars ; fifty-six assistant foremen, at two (2) dollars and fifty (50) cents per day each, fifty-one thousand one hundred (51,100) dollars ; forty-eight enginemen, one thousand and fifty (1,050) dollars each, fifty thousand four hundred (50,400) dollars ; forty-eight firemen at two (2) dollars and (50) cents per day each, forty-three thousand eight hundred (43,800) dollars ; seventy-five drivers at two (2) dollars and (50) cents per day each, sixty-eight thousand four hundred and thirty-seven (68,437) dollars and fifty (50) cents ; twelve tillermen at two (2) dollars and fifty (50) cents per day each, ten thousand nine hundred and fifty (10,950) dollars ; four hundred and thirty-two hosemen and ladder-men, three hundred and seventy-five thousand (375,000) dollars: *Provided*, That all hosemen, ladderman, tillermen, drivers, and firemen sworn in during the year 1895 shall be paid at the rate of two (2) dollars and twenty-five (25) cents per day ; all sworn in during the year 1894 shall be paid at the rate of two (2) dollars and (40) cents per day ; all sworn in during the year 1893 shall be paid at the rate of two (2) dollars and (50) cents per day ; two pilots of fire boat, one thousand and fifty (1,050) dollars each, two thousand one hundred (2,100) dollars ; veterinary surgeon, two thousand (2,000) dollars ; superintendent of repair shop, one thousand five hundred (1,500) dollars ; assistant superintendent of repair shop, one thousand (1,000) dollars ; superintendent of horses, one thousand (1,000) dollars ; hostler, seven hundred and twenty (720) dollars ; watchman, five hundred and forty (540) dollars ; nine machinists, at eight hundred (800) dollars each, seven thousand two hundred (7,200) dollars ; one blacksmith, nine hundred (900) dollars ; three blacksmiths at eight hundred (800) dollars each, two thousand four hundred (2,400) dollars ; five helpers at six hundred (600) dollars each, three thousand (3,000) dollars ; three wheelwrights at eight hundred (800) dollars each, two thousand four hundred (2,400) dollars ; one plumber and gas fitter, nine hundred (900) dollars ; one boiler-maker, eight hundred (800) dollars ; two carpenters, eight hundred (800) dollars each, one thousand six hundred (1,600) dollars ; one patternmaker, eight hundred (800) dollars ; four painters at eight (800) dollars each, three thousand two hun-

dred (3,200) dollars; clerk of Bureau of Fire Escapes, one hundred (100) dollars; messenger of Bureau of Fire Escapes, fifty (50) dollars. Total, seven hundred and twenty-two thousand six hundred and forty-seven (722,647) dollars and fifty (50) cents.

Item 2. For purchase of uniforms, twenty-nine thousand five hundred (29,500) dollars.

Item 3. For straw, feed, horse-shoeing and medicines for veterinarian uses, thirty thousand (30,000) dollars: *Provided*, That warrants may be countersigned for horse-shoeing on this item on the approval of the bills by the Director of the Department of Public Safety.

Item 4. For repairs and supplies, seven thousand (7,000) dollars.

Item 5. For supplies for engine-houses, stables and fire-boat, six thousand (6,000) dollars.

Item 6. For printing, advertising, and stationery, seven hundred and fifty (750) dollars.

Item 7. For fuel, nine thousand (9,000) dollars.

Item 8. For forcing hose and couplings, eighteen thousand (18,000) dollars.

Item 9. For horses, eight thousand (8,000) dollars.

Item 10. For harness, repairs and stable supplies, one thousand five hundred (1,500) dollars.

Item 11. For ice for fire stations, seven hundred and fifty (750) dollars.

Item 12. For cleaning bunk rooms and office, seventeen thousand (17,000) dollars.

Item 13. For incidental and office expenses, three hundred (300) dollars.

Item 14. For tools for repair shop, and new boiler and engine, twenty-eight hundred (2,800) dollars.

Item 15. For expenses incurred in removing dangerous walls, as provided in ordinance of April 30, 1883, five hundred (500) dollars.

Item 16. For new apparatus, twenty-five thousand (25,000) dollars. *Provided*, That a chemical engine to be stationed at Fox Chase shall be paid for out of this item.

Item 17. For bedding and furniture, three thousand five hundred (3,500) dollars.

Item 18. For alterations and repairs to fire stations, five thousand (5,000) dollars.

Item 19. For alteration and repairs to repair shops, Juniper and Race streets, seven thousand five hundred (7,500) dollars.

Item 20. For Firemen's Pension Fund, five thousand (5,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interests of the City, to purchase or contract, without advertising, bills for this Bureau not exceeding the sum of one hundred (100) dollars.

### *Electrical Bureau.*

SECT. 5. Of amount appropriated to this Department, the sum of one million eighty-two thousand one hundred and seventy (1,082,170) dollars is for the expenses of the Electrical Bureau as follows :

Item 1. For salary of Chief, five thousand (5,000) dollars ; manager, three thousand (3,000) dollars ; assistant manager, one thousand six hundred (1,600) dollars ; assistant manager, one thousand five hundred (1,500) dollars ; chief clerk, two thousand (2,000) dollars ; first assistant clerk, nine hundred (900) dollars, second assistant clerk and messenger, seven hundred and fifty (750) dollars ; draughtsman, one thousand (1,000) dollars ; chief line inspector, one thousand two hundred (1,200) dollars, uniform, forty (40) dollars, one thousand two hundred and forty (1,240) dollars ; eight inspectors, one thousand one hundred and eighty (1,180) dollars each, uniforms forty (40) dollars each, nine thousand seven hundred and sixty (9,760) dollars ; seventeen operators at one thousand one hundred (1,100) dollars each, and forty (40) dollars each for uniforms, nineteen thousand three hundred and eighty (19,380) dollars ; foreman, nine hundred (900) dollars, and forty (40) dollars for uniform, nine hundred and forty (940) dollars ; eight linemen, eight hundred and fifty (850) dollars each, forty (40) dollars each for uniform, seven thousand one hundred and twenty (7,120) dollars ; batteryman, nine hundred (900) dollars ; electrical plumber one thousand (1,000) dollars, and forty (40) dollars for uniform, one thousand and forty (1,040) dollars ; assistant electrical plumber, nine hundred (900) dollars, and forty (40) dollars for uniform, nine hundred and forty (940) dollars ; two janitors, two hundred and fifty (250) dollars each, five hundred (500) dollars ; total, fifty-seven thousand five hundred and seventy (57,570) dollars.

Item 2. For repairs, instruments, supplies and labor fifteen thousand (15,000) dollars.

Item 3. For iron posts, mast arms, hauling and labor in erecting the same, fifteen thousand (15,000) dollars.

Item 3½. For repairs to iron posts, mast arms, for materials and labor in lengthening iron posts, five thousand (5,000) dollars.

Item 4. For maintenance and keep of horse and wagon, five hundred (500) dollars.

Item 5. For hire of horse and wagon for chief line inspector, four hundred (400) dollars.

Item 6. For acids, batteries and materials, six thousand five hundred (6,500) dollars.

Item 7. For stationery, printing, advertising, car fares, car tickets and incidentals, three thousand five hundred (3,500) dollars.

Item 8. For painting telegraph poles, electric light poles, cross arms, mast-arms and patrol booths, three thousand (3,000) dollars.

Item 9. For ice, one hundred (100) dollars.

Item 10. For the improvement and extension of the police and fire telegraph, ten thousand (10,000) dollars.

Item 11. For rent of telephones, purchase of materials and instruments, extension of the lines and hospital and armory service, including Brigade Headquarters National Guards of Pennsylvania, Presbyterian, Children's Homœopathic, St. Mary's, Orthopædic, Samaritan and Jefferson Hospitals, at one hundred (100) dollars per annum each, nine thousand one hundred (9,100) dollars.

Item 12. For the improvement and extension of the police signal and telephone service, ten thousand five hundred (10,500) dollars.

Item 13. For cables, hauling, labor and materials in connecting the same, twenty-two thousand seven hundred and fifty (22,750) dollars. Of this sum two thousand seven hundred and fifty (2,750) dollars is to be used for the completion of underground service on Columbia avenue, from Broad street to Ridge avenue.

Item 13½. For repairs to cables, conduits and manholes, including materials and labor, ten thousand (10,000) dollars.

Item 14. For supply wagon, two hundred and fifty (250) dollars.

Item 15. For labor, lamps, wiring, current, and repairs for police patrol and fire stations, three thousand (3,000) dollars.

Item 16. For electric lighting, eight hundred thousand (800,000) dollars.

Item 17. For extension new electric lights, fifty thousand (50,000) dollars: *Provided*, That this appropriation for electric lighting shall not be increased during 1895 (except for furnishing the lighting of Broad street), either by direct appropriation or transfer.

Item 18. For purchase of underground conduits and laying the same, sixty thousand (60,000) dollars, on the following streets: Broad street, north and south of City Hall; Twenty-third South to Callowhill; Callowhill, Twenty-third to Twenty-fifth; Twenty-fifth street, from Callowhill to Spring Garden and Green to Fairmount avenue; Twenty-sixth street, from Fairmount to Girard avenue; Second street, South to Diamond; Lehigh avenue, from Kensington avenue to Richmond; Columbia avenue, Ridge to Thirty-third; Ridge avenue, Columbia avenue to Diamond.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interest of the City, to purchase or contract, without advertising, bills for this Bureau, not exceeding the sum of one hundred (100) dollars.

#### *Bureau of Building Inspectors.*

SECT. 6. Of amounts appropriated to this Department, the sum of forty-four thousand seven hundred and twenty (44,720) dollars is for the expenses of the Bureau of Building Inspectors, as follows:

Item 1. For salaries of chief inspector, three thousand five hundred (3,500) dollars; deputy chief inspector, two thousand two hundred (2,200) dollars; thirteen inspectors, two thousand (2,000) dollars each, twenty-six thousand (26,000) dollars; chief clerk, one thousand six hundred (1,600) dollars; clerk, one thousand two hundred (1,200) dollars; clerk one thousand (1,000) dollars; messenger, seven hundred and twenty (720) dollars; total, thirty-six thousand two hundred and twenty (36,220) dollars.

Item 2. For incidentals, printing, stationery, books, furniture, etc., two thousand five hundred (2,500) dollars.

Item 3. For horse keep, repairs to wagon, etc., six thousand (6,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment for the best interests of the City, to purchase or contract, without advertising, bills for this Bureau not exceeding the sum of one hundred (100) dollars.

#### *Bureau of Steam-engines and Boilers.*

SECT. 7. Of the amount appropriated to this Department, the sum of seventeen thousand eight hundred and fifty (17,850) dollars is for the expenses of the Bureau of Steam-engines and Boilers, as follows :

Item 1. For salary of chief inspector, three thousand (3,000) dollars ; five assistant inspectors, one thousand two hundred (1,200) dollars each ; two inspectors of elevators, one thousand two hundred (1,200) dollars each ; chief clerk, one thousand three hundred (1,300) dollars ; registering clerk, eight hundred (800) dollars ; messenger, seven hundred (700) dollars ; driver, seven hundred (700) dollars ; total, fourteen thousand nine hundred (14,900) dollars.

Item 2. For transportation of men, keep of horses, horse-shoeing, repairs to wagons and harness and purchase of a horse, one thousand seven hundred (1,700) dollars.

Item 3. For extra labor, janitor, testing boiler plates, and advertising, two hundred and fifty (250) dollars.

Item 4. For test pumps and repairs, forcing hose gauges and repairs, tools, fittings and attachments, two hundred and fifty (250) dollars.

Item 5. For certificates of inspection, printing blanks, blank books, stationery, binding, postage and incidentals, seven hundred and fifty (750) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interest of the City, to purchase or contract, without advertising, bills not exceeding the sum of one hundred (100) dollars.

#### *Bureau of City Property.*

SECT. 8. Of the amount appropriated to this department, the sum of three hundred and fifteen thousand two hundred

and four (\$15,204) dollars and thirty-four (34) cents is for the expenses of the Bureau of City property, as follows:

Item 1. For salaries: Chief of Bureau, three thousand nine hundred (3,900) dollars, and four hundred (400) dollars for keep of horse and carriage; chief clerk, one thousand five hundred (1,500) dollars; clerk and messenger, nine hundred (900) dollars; clerk, nine hundred (900) dollars; typewriter, five hundred (500) dollars; janitress, five hundred (500) dollars; clerks of markets, four thousand eight hundred and ten (4,810) dollars; superintendent of Independence Hall, seven hundred and twenty (720) dollars; assistant superintendent, four hundred and fifty (450) dollars; janitress, three hundred (300) dollars; fireman, three hundred and forty (340) dollars; superintendent of Germantown Hall, six hundred (600) dollars; janitor of grand and petit jury rooms, six hundred and seventy-five (675) dollars; janitor of Orphans' Court rooms, six hundred (600) dollars; janitor of Orphans' Court rooms, four hundred and thirty-two (432) dollars; janitor of Orphans' Court offices, two hundred and forty (240) dollars; three watchmen of courts, six hundred (600) dollars each, one thousand eight hundred (1,800) dollars; fireman of new Court house, five hundred and forty (540) dollars; five janitors of courts No. 1, 2, 3, 4, and Old Court, five hundred and forty (540) dollars each, two thousand seven hundred (2,700) dollars; five janitors of City Hall Courts, six hundred (600) dollars each, three thousand (3,000) dollars; two janitors of City Hall Courts, four hundred and fifty (450) dollars each, nine hundred (900) dollars; nine superintendents of Squares, seven hundred (700) dollars each, six thousand three hundred (6,300) dollars; seven superintendents of Squares, five hundred (500) dollars each, three thousand five hundred (3,500) dollars; ten assistants for Squares, at one (1) dollar and fifty (50) cents per day each, four thousand six hundred and ninety-five (4,695) dollars; superintendent of City burial ground, five hundred (500) dollars; cleaners of public urinals, two thousand eight hundred (2,800) dollars; superintendent of City Morgue, seven hundred and twenty (720) dollars, assistant superintendent of City Morgue, four hundred and fifty (450) dollars, one thousand one hundred and seventy (1,170) dollars; special officer State House, eight hundred (800) dollars; six superintendents of public baths, six hundred (600) dollars each, three thousand six hundred (3,600) dollars; engineer at City morgue, nine hundred (900) dollars; total, fifty thousand nine hundred and seventy-two (50,972) dollars.

Item 2. For printing, blank books, stationery, advertising, insurance and incidentals, two thousand five hundred (2,500) dollars.

Item 3. For repairs to market houses, two thousand five hundred (2,500) dollars; repairs and other expenses to public urinals, three hundred (300) dollars; repairs and other expenses, town hall, Germantown, three hundred (300) dollars; repairs to property owned by and used for City purposes, one thousand five hundred (1,500) dollars; repairs to City burial ground, including expenses of crematory, one thousand two hundred (1,200) dollars; repairs and other expenses, Independence Hall and National Museum, four thousand (4,000) dollars, to be expended as follows: two thousand (2,000) dollars for repairs, one thousand five hundred (1,500) dollars for restoring pictures, and five hundred (500) dollars for repairs to frames: *Provided*, The Controller shall countersign warrants for restoring pictures and frames without advertising; repairs and other expenses to public bath houses, two thousand five hundred (2,500) dollars; repairs to and cleaning public clocks, eight hundred (800) dollars; total, thirteen thousand one hundred (13,100) dollars.

Item 4. For cleaning docks and repairing wharves and landings, thirteen thousand (13,000) dollars.

Item 5. For fees of auctioneers, four hundred (400) dollars.

Item 6. For labor and other expenses in public squares, including manuring, sodding, repairs to benches and new benches, replacing trees, flowers, and other expenses, fifteen thousand (15,000) dollars.

Item 7. For cleaning cess pools, five hundred (500) dollars.

Item 8. For coal, kindling wood and fuel, three thousand four hundred and fifty (3,450) dollars: *Provided*, The Controller may countersign warrants on this item for the year 1894.

Item 9. For rent of Orphans' Court room, six thousand (6,000) dollars; City Solicitor's offices, two thousand eight hundred and forty (2,840) dollars; Holmesburg sub-station, one hundred (100) dollars; Bustleton telephone station, fifty (50) dollars; patrol station, 307 Union street, eight hundred (800) dollars; patrol station, 1519 Filbert street, four hundred and eighty (480) dollars; patrol station, 824 Lombard street, six hundred (600) dollars; patrol station, Twenty-



second and York streets, eight hundred (800) dollars; patrol station, Twentieth and Nicholas streets, seven hundred (700) dollars; patrol station, Cambria and Staunton streets, seven hundred (700) dollars; for rent of premises No. 3 south Thirty-seventh street, sub gas office, three hundred (300) dollars; for rent of premises, Juniper and Filbert streets, six thousand (6,000) dollars; fire houses, twenty-one thousand nine hundred (21,900) dollars; gas office, Broad street and Columbia avenue, three thousand two hundred and fifty (3,250) dollars; arches under the Pennsylvania Railroad, for the use of the Electrical Bureau, five hundred (500) dollars; automatic fire alarm, State House row, nine hundred (900) dollars; total, forty-five thousand nine hundred and twenty (45,920) dollars.

Item 10. For ground rents and interest, three thousand five hundred and thirty-seven (3,537) dollars and thirty-four (34) cents.

Item 11. For removing ice and snow from pavements in front of State House row, public halls and squares, two thousand five hundred (2,500) dollars: *Provided*, The City Controller shall countersign warrants against this item for snow removed during the year 1894.

Item 12. For bedding and other accommodations for jurors required for the several courts, two hundred (200) dollars.

Item 13. For repairs to and cleaning court rooms, City Solicitor's, and other rooms, and repairs to furniture and new furniture for the same, five thousand (5,000) dollars.

Item 14. For flags, flag-staffs and repairs to same, halliards, awnings, etc., one thousand five hundred (1,500) dollars.

Item 15. For stationery, gas and other expenses at the City morgue, one thousand (1,000) dollars; *Provided*, The City Controller be authorized to countersign warrants for ice furnished to the Morgue during the year 1894.

Item 16. For payment of gas bills or lighting of military organizations, as follows: First Regiment, one thousand one hundred and twenty-five (1,125) dollars; Second Regiment, six hundred and seventy-five (675) dollars; Third Regiment, seven hundred and fifty (750) dollars; State Fencibles, four hundred and fifty (450) dollars; First Troop, P. C. C., one hundred and sixty-eight (168) dollars and seventy-five (75) cents; Battery "A" Artillery, one hundred and sixty-eight (168) dollars and seventy-five (75) cents; Naval Reserves,

two hundred and twenty-five (225) dollars; Gray Invincibles, one hundred and eighty-seven (187) dollars and fifty (50) cents; the gas to be used exclusively by the said organizations; total, three thousand seven hundred and fifty (3,750) dollars; *Provided*, That no warrants shall be drawn against this item in favor of any of the organizations named until all the gas bills due by said organizations shall be paid.

Item 17. For supplying coal to military organizations, as follows: First Regiment, four hundred and fifty (450) dollars; Second Regiment, two hundred (200) dollars; Third Regiment, three hundred (300) dollars; State Fencibles, two hundred (200) dollars; Battery "A," Artillery, one hundred and fifty (150) dollars; First Troop, P. C. C., one hundred (100) dollars; Naval Reserves, two hundred (200) dollars; Gray Invincibles, seventy-five (75) dollars; total, one thousand six hundred and seventy-five (1,675) dollars.

Item 18. For repairs, improvements, and alterations upon station and patrol houses, thirty thousand (30,000) dollars.

Item 19. For stoves, heaters, and repairs to same, four thousand (4,000) dollars.

Item 20. For laying improved pavements for station-houses and repairs to public squares, two thousand five hundred (2,500) dollars.

Item 21. For gas, station and fire-houses, Northern Liberties Gas Works and House of Correction, one thousand two hundred (1,200) dollars: *Provided*, The Controller may countersign warrants against this item for bills for the year 1894.

Item 21½. For a new carpet for the Board of Revision of Taxes, five hundred (500) dollars.

Item 22. For curbing and paving sidewalks on Underhill street, in front of Waterview Park, Twenty-second Ward, two thousand (2,000) dollars.

Item 23. For the erection of a police, fire, and patrol station in the Twentieth Police District, forty thousand (40,000) dollars.

Item 24. For the purchase of a lot for a bath-house in the Nineteenth Ward, fifteen thousand (15,000) dollars.

Item 25. For the purchase of lot and erection of a police and patrol house in the Second Ward, twenty thousand (20,000) dollars.

Item 26. For the purchase of Clarence H. Clark Park, eighteen thousand (18,000) dollars, this being the actual amount for street improvements.

Item 27. For an additional lot for police and patrol station in the Twenty-sixth Ward, three thousand (3,000) dollars: *Provided*, That the amount appropriated in Item 25 of the appropriation to Bureau of City Property, for the year 1894, shall not merge.

Item 28. For the purchase of a lot and the erection of a patrol-house, northwest corner of Montgomery avenue and McClellan street, Eleventh Police District, fifteen thousand (15,000) dollars: *Provided*, the cost of lot shall not exceed the sum of five thousand (5,000) dollars.

*Provided*, That the Director shall be allowed, when it is in his judgment to the best interest of the City, to purchase or contract without advertising bills for this Bureau not exceeding the sum of one hundred (100) dollars.

*Provided*, That all bids shall be opened, and all contracts awarded, in the presence of the Committee of Councils having supervision.

*Provided*, That in the Bureau of Police one warrant to be drawn in favor of the Lieutenant of each District for the pay of all employees of the Bureau of Police in his District, provided that such employees shall give a warrant of attorney in favor of the Lieutenant, empowering him to collect their pay.

*Provided also*, In the Bureau of Fire one warrant to be drawn in favor of the Foreman of each Company for the payment of all employees of the Bureau of Fire in his Company, provided that such employees shall give a warrant of attorney in favor of the Foreman empowering him to collect their pay.

And warrants shall be drawn by the Director of the Department of Public Safety in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Approved the twenty-eighth day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Board of Public Education for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of three million four hundred and twenty-three thousand one hundred and thirty-nine (3,423,139) dollars and thirty-five (35) cents be, and the same is hereby appropriated to the Board of Public Education, for the year 1895.

Item 1. For salaries of teachers, and for pay of additional teachers, two million one hundred and fifty-five thousand four hundred and fifteen (2,155,415) dollars.

*Provided*, That the salaries for all teachers in 11th and 12th Grades of Boys' Grammar Schools and Combined Grammar Schools be the same as those now paid to female teachers in said grades.

*And provided further*, That the said Board of Education shall transmit to these Councils on or before the fifteenth day of February, a complete schedule, showing in detail the classification of teachers, the salaries paid, and designating by name and location each and every teacher in service, the term of service of each teacher employed, the changes which would occur in the ratings of all teachers during the year 1895, under the operation of the rules of the Board and the reason for each of such proposed change.

Item 2. For expenses of preparing diplomas of the graduating class of the Central High School, two hundred and fifty (250) dollars.

Item 3. For philosophical apparatus and chemicals (including Artisans' Night School) at the Central High School, two thousand five hundred (2,500) dollars.

Item 4. For printing and petty expenses, philosophical apparatus and chemicals at the Girls' Normal School and the School of Practice, two thousand five hundred (2,500) dollars.

Item 5. For rent of school houses, thirty-seven thousand five hundred and forty-four (37,544) dollars.

Item 6. For printing and petty expenses for the Central High School, Manual Training Schools, James Forten School, and thirty-seven sections, eight thousand (8,000) dollars.

Item 7. For clerk hire for the thirty-seven sections, three thousand seven hundred (3,700) dollars.

Item 8. For furnaces and stoves in old school houses, fourteen thousand (14,000) dollars.

Item 9. For furnaces and stoves in new school houses (and this item shall not merge December 31, 1895), forty thousand (40,000) dollars.

Item 10. For cleaning school houses, one hundred and eighty-two thousand seven hundred and two (182,702) dollars.

Item 11. For general repairs and alterations (including special furniture), and fourteen thousand eight hundred and fifty (14,850) dollars for sanitary repairs; total, one hundred and seventy-five thousand (175,000) dollars.

Item 12. For desks, blackboards and furniture in old school houses, six thousand (6,000) dollars.

Item 13. For tools, supplies, etc., in shops and laboratories of the Central Manual Training School, including equipment of physical laboratory and additional lathes and shafting, five thousand (5,000) dollars.

Item 14. For removal of ashes, three thousand five hundred (3,500) dollars.

Item 15. For expenses of Committees on Property, Grammar, Secondary and Primary Schools, Estimates, Supplies, Night Schools and Qualification of Teachers, eight hundred (800) dollars.

Item 16. For furniture for new school houses, forty thousand (40,000) dollars.

Item 17. For cleaning cess pools, eight hundred (800) dollars.

Item 18. For ground rents (and this item shall not merge on December 31, 1895), twenty-one thousand five hundred and eighty-one (21,581) dollars and thirty-five (35) cents.

Item 19. For fuel (and this item shall not merge on December 31, 1895), eighty-five thousand (85,000) dollars.

Item 20. For books and stationery, sewing and kindergarten materials, one hundred and sixty thousand (160,000) dollars.

Item 21. For brooms, brushes, soaps, etc., for janitors, two thousand five hundred (2,500) dollars.

Item 22. For printing and petty expenses, philosophical apparatus and chemicals at the Girls' High School, two thousand five hundred (2,500) dollars.

Item 23. For rent of additional buildings and furniture for the same, and furniture for additional divisions, six thousand (6,000) dollars.

Item 24. For insurance on school buildings, four thousand (4,000) dollars.

Item 25. For printing Annual Report and printing all blanks and reports for schools, ten thousand (10,000) dollars.

Item 26. For salaries of officers and temporary help to assist in the delivery of supplies: secretary, two thousand seven hundred and fifty (2,750) dollars; assistant secretary, one thousand eight hundred (1,800) dollars; clerks: one at one thousand three hundred and fifty (1,350) dollars, one at one thousand one hundred and forty (1,140) dollars, one at one thousand and sixty (1,060) dollars, one at nine hundred and fifty (950) dollars, one at eight hundred (800) dollars, one at six hundred (600) dollars; warrant clerk, one thousand five hundred (1,500) dollars; assistant warrant clerk, one thousand one hundred (1,100) dollars; messenger, one thousand (1,000) dollars; temporary additional help, one thousand nine hundred (1,900) dollars; total, fifteen thousand nine hundred and fifty (15,950) dollars.

Item 27. For advertising, one thousand (1,000) dollars.

Item 28. For cleaning offices, two hundred (200) dollars.

Item 29. For carriage hire, nine hundred (900) dollars.

Item 30. For porterage of books, one thousand two hundred (1,200) dollars.

Item 31. For postage stamps, one thousand (1,000) dollars.

Item 32. For curbing, paving, grading and drainage around school houses, six thousand (6,000) dollars.

Item 33. For blank books, stationery, incidentals and repairs for office, one thousand five hundred (1,500) dollars.

Item 34. For salaries: Architect and supervisors, two thousand six hundred (2,600) dollars; assistant inspectors of school buildings, one (1) at one thousand eight hundred (1,800) dollars; one (1) at one thousand three hundred and fifty (1,350) dollars; one (1) at one thousand one hundred (1,100) dollars, and one (1) at seven hundred and fifty (750) dollars, and incidentals connected with same (including keep of horses, eight hundred (800) dollars), two thousand (2,000) dollars; total, nine thousand six hundred (9,600) dollars.

Item 35. For putting wire screens on the windows of the several school houses, two thousand five hundred (2,500) dollars.

Item 36. For extraordinary and accidental repairs, one thousand five hundred (1,500) dollars.

Item 37. For night schools (and this item shall not merge on December 31, 1895), sixty thousand (60,000) dollars.

Item 38. For collecting, storing, changing and putting in order old furniture, one thousand (1,000) dollars.

Item 39. For maintenance of Industrial Art School, to be expended as follows: One (1) director, one thousand eight hundred (1,800) dollars; two (2) instructors of wood carving, six hundred (600) dollars each; three (3) teachers, drawing and designing, six hundred (600) dollars each; two (2) teachers of clay modeling, six hundred (600) dollars each; one (1) general assistant, five hundred (500) dollars; maintenance, one thousand (1,000) dollars; total, seven thousand five hundred (7,500) dollars.

Item 40. For salaries of Superintendent of Schools and Assistants, twenty-three thousand three hundred (23,300) dollars.

Item 41. For printing for the Department of Superintendence, one thousand five hundred (1,500) dollars.

Item 42. For incidental expenses for the Department of Superintendence, including car fare for Superintendent of Drawing, seven hundred (700) dollars.

Item 43. For materials for classes in cooking at the Girls' High School, two hundred and twenty-five (225) dollars.

Item 43½. For materials for Kindergarten Classes at Girls' Normal School, one hundred and seventy-five (175) dollars.

Item 44. For expenses of preparing diplomas for the Graduating Class of the Girls' High School, six hundred and fifty (650) dollars.

Item 45. For salary of Inspector of Hot-air Furnaces and Steam Heaters, including keep of horse, one thousand nine hundred (1,900) dollars.

Item 46. For expenses of preparing diplomas of the Graduating Class of the Central and Northeast Manual Training Schools, one hundred and twenty-five (125) dollars each; total, two hundred and fifty (250) dollars.

Item 47. For gas, Northern Liberties Gas Works, three hundred and fifty (350) dollars.

Item 48. For materials, etc., for cooking classes, Girls' Grammar Schools, including one thousand (1,000) dollars for additional classes, three thousand (3,000) dollars.

Item 49. For tools, supplies, shafting, etc., for Northeast Manual Training School, Howard street, below Girard avenue, including electrical and physical laboratories and other equipments of the school, five thousand (5,000) dollars.

Item 50. For general supplies and equipment for James Forten Elementary Manual Training School, five hundred (500) dollars.

Item 51. For additional and improved fire-escapes, twenty thousand (20,000) dollars.

Item 51½. For the purchase of Century Dictionaries, ten thousand (10,000) dollars.

Item 52. For the purpose of establishing and maintaining public libraries and reading rooms in the City of Philadelphia, fifty thousand (50,000) dollars: *Provided*, That one thousand (1,000) dollars shall be expended from this item for Pedagogical Library Department of Superintendence.

Item 53. For the purchase of additional apparatus and supplies, and the completion of the equipment of the Physical and Chemical Laboratory and the Biological Laboratory for the study of Natural History at the Girls' Normal School, five thousand (5,000) dollars.

Item 54. For the purchase of flags and poles for school houses, five thousand (5,000) dollars,

Item 55. Toward construction of new Boys High School, one hundred and fifty thousand (150,000) dollars.



Item 55½. To reimburse the South Branch of the Young Men's Christian Association for gas consumed in Free Library in 1894, four hundred (400) dollars.

Item 56. For the purchase of property adjoining Nebinger School-house, Sixth and Carpenter streets, ten thousand (10,000) dollars.

Item 57. For the purchase of property adjoining the Warner School-house, eighteen thousand (18,000) dollars.

Item 58. For repairs to Newton School-house, one thousand five hundred (1,500) dollars.

Item 59. For the purchase of a lot in the Thirty-second Section, twenty-thousand (20,000) dollars.

Item 60. To tearing down buildings, restoring the ground to a level with the grade of rest of ground attached to Price School Building, Howard above Diamond street, and fence in same, fifteen hundred (1,500) dollars.

Item 61. To the Board of Managers of the Pennsylvania Academy of Fine Arts, five thousand (5,000) dollars; *Provided*, Said Board shall assign to the City schools free scholarships, under regulations to be imposed, and the number of free scholarships to be fixed by the Board of Public Education.

Item 61½. To pay Anita M. Steinmetz, for teaching during the month of September, 1894, the sum of forty-seven (47) dollars.

Item 62. For teachers pension fund, ten thousand (10,000) dollars.

*Provided*, That all bids shall be opened and all contracts awarded in the presence of the Committee of Councils having supervision: *Provided, also*, That the superintendent and assistants mentioned in Item 40 shall not be pecuniarily interested, directly or indirectly, in any book or publication of any kind that may be used in any public school of the City of Philadelphia during the time of his or their employment: *Provided, also*, That whenever it can be reasonably expected that the total cost of the article or work required will not exceed one hundred (100) dollars, then, and in that case, the respective committees of the Board of Public Education shall have authority to purchase said article or have said work done, subject to the approval of the bills by the Board of Public Education: *Provided, also*, That nothing shall be construed to

prohibit the Board of Public Education from assigning to several sections respectively such proportions of the whole appropriation as is represented by the amounts asked for as general items, to be expended by them, subject to the approval of the bills by the Board of Public Education: *And provided further*, That no section shall be allowed to contract any bills exceeding one hundred (100) dollars; and so much of any ordinance as requires proposals to be opened in the presence of the Committee on Schools of Councils shall not be held to apply to those received by the Sectional Boards: *Provided, also*, That no warrants shall be drawn against this appropriation, unless the meeting of the Board and all its committees shall be open to the public: *Provided, further*, That a copy of the specifications for general repairs to school houses and contracts made for the same be furnished each of the Sectional Boards where the work is to be done; and that the President of the Sectional Boards where the repairs are done, or a member of the same designated by him, as well as the Architect of the Board of Public Education shall certify that the work has been done in accordance with said specifications and contracts before the bills are paid.

And warrants to be drawn by the Board of Public Education in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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#### AN ORDINANCE

To make an appropriation towards the maintenance of the Pennsylvania Nautical School for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of twenty thousand (20,000) dollars be, and the same is hereby appropriated towards the maintenance of the Pennsylvania Nautical School for the year 1895, and the City Controller is authorized to countersign warrants signed by the President and Secretary of the Board of Directors of the Nautical School, appointed by the Governor of the Commonwealth and the Mayor of the

City of Philadelphia, in accordance with the Act of Assembly approved April 19, 1889 : *Provided*, That all warrants drawn and presented to the City Controller shall have the proper vouchers attached thereto : *Provided further*, That quarterly statements of the expenditures of the said Board of Directors for the maintenance of the said Nautical Schoolship, shall be rendered to the Controller of the City of Philadelphia : *Provided also*, That the head of the Department shall transmit direct to the Chairman of the Committee on Finance, on or before the tenth day of each month, a statement showing the balance to the credit of each item of the annual appropriation (not under contract) on the first day of the preceding month. The amount charged off on account of contracts or paid out on account of regular monthly charges during the month, and the balance to the credit of the item (not under contract) at the end of the month (upon the blank forms furnished by the Clerks of Councils).

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To make an appropriation to the Commissioners of the Sinking Fund for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of one thousand two hundred and fifty (1,250) dollars be, and the same is hereby appropriated to the Commissioners of the Sinking Fund for the year 1895.

Item 1. For salary of clerk, one thousand two hundred (1,200) dollars.

Item 2. For stationery and incidentals fifty (50) dollars.

And warrants shall be drawn in conformity with existing ordinances.

All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To make an appropriation to the Commissioners of Fairmount Park for the year 1895.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of five hundred and eighty-four thousand seven hundred and ninety-five (584,795) dollars and twenty-five (25) cents be, and the same is hereby appropriated to the Commissioners of Fairmount Park for the year 1895.

Item 1. For salaries: Park solicitor, one thousand two hundred (1,200) dollars; secretary, two thousand five hundred (2,500) dollars; clerk, one thousand four hundred (1,400) dollars; chief engineer and superintendent, three thousand seven hundred and fifty (3,750) dollars; landscape gardener, two thousand (2,000) dollars; assistant engineer, one thousand four hundred and fifty (1,450) dollars; chief clerk, one one thousand three hundred and fifty (1,350) dollars; messenger, nine hundred (900) dollars; total, fourteen thousand five hundred and fifty (14,550) dollars.

Item 2. For incidental expenses, office of Commission: care and cleaning office, stationery, printing, analysis of water, rental of telephones, advertising Park supplies, repairs to telegraph lines, between the various police stations, and printing annual report, three thousand one hundred and fifty (3,150) dollars.

Item 3. For music at various places in the Park, at the following named points: Music Pavilion, Lemon Hill, five thousand (5,000) dollars; Strawberry Mansion, two thousand (2,000) dollars; Belmont Mansion, two thousand (2,000) dollars; Mt. Pleasant (Dairy), one thousand five hundred (1,500) dollars; Sweet Briar Mansion, one thousand five hundred (1,500) dollars; care and cleaning of music pavilions and erection of shelter for musicians, one thousand five hundred (1,500) dollars; total, thirteen thousand five hundred (13,500) dollars.

Item 4. For general maintenance of the Park, this includes the care and maintenance of the roads, walks, drives, drains, fences, bridges, buildings, lawns, plants, flowers, green-houses, and for fuel, stationery, and other incidental expenses, one hundred and thirty thousand (130,000) dollars.

Item 5. For the care of Horticultural Hall and Arboretum, including fuel, attendance, material, maintenance of fountains and water supply, twenty thousand (20,000) dollars.

Item 6. For the care of nurseries, the planting, transplanting and trimming of trees, the preservation of woodlands, and purchase of new stock, six thousand (6,000) dollars.

Item 7. For the pay, equipment and incidental expenses of the Park guard, one hundred and five thousand eight hundred and sixty-six (105,866) dollars and twenty-five (25) cents. This provides for pay of one captain at five (5) dollars per day, one thousand eight hundred and twenty-five (1,825) dollars; one lieutenant, at one hundred and sixteen (116) dollars sixty-six and two-thirds ( $66\frac{2}{3}$ ) cents per month, one thousand four hundred (1,400) dollars; four sergeants at three (3) dollars and twenty-five (25) cents per day, or one thousand one hundred and eighty-six (1,186) dollars and twenty-five (25) cents per year each, four thousand seven hundred and forty-five (4,745) dollars; seventy-four guards at two (2) dollars and fifty (50) cents per day each, or nine hundred and twelve (912) dollars and fifty (50) cents per year each, sixty-seven thousand five hundred and twenty-five (67,525) dollars; one driver Park ambulance at fifty (50) dollars per month, six hundred (600) dollars; four attendants at ladies' retiring houses, thirty (30) dollars per month, or three hundred and sixty (360) dollars per year each, one thousand four hundred and forty (1,440) dollars; ten attendants at ladies' retiring houses, six months, at thirty (30) dollars per month each, or one hundred and eighty (180) dollars per year each, one thousand eight hundred (1,800) dollars; for uniforms and equipments, three thousand (3,000) dollars; for fuel, stationery, care and repair of station houses, guard boxes, keep of horses, and other incidental expenses, three thousand (3,000) dollars; for twenty-five guards, at two (2) dollars and twenty-five (25) cents per day each, twenty thousand five hundred and thirty-one (20,531) dollars and twenty-five (25) cents.

Item 8. For sprinkling Park drives and for the purchase of new wagons and repairs to old, twenty-three thousand five hundred (23,500) dollars.

Item 9. For the maintenance of St. George's House, five hundred (500) dollars.

Item 10. For works of a permanent character, one hundred thousand (100,000) dollars: *Provided*, That two thou-

sand five hundred (2,500) dollars of this amount shall be expended for electric lights around the East Park Reservoir and on the East Park Drive from Diamond street to the Dairy.

Item 11. For care and maintenance of Memorial Hall, eleven thousand (11,000) dollars, and general repairs to different portions of the building, two thousand five hundred (2,500) dollars ; total, thirteen thousand five hundred (13,500) dollars.

Item 12. For improvements and macadamizing drives of the Park, ten thousand (10,000) dollars.

Item 13. For repairs to building, erection of shelters, retiring-houses, urinals, also, the erection and repair of fences, seven thousand (7,000) dollars : *Provided*, That not less than three thousand (3,000) dollars be expended for shelters, retiring-houses, and urinals.

Item 14. For purchase of settees and picnic tables, three thousand (3,000) dollars : *Provided*, It shall be expended prior to July 1, 1895.

Item 15. For electric lighting and for gasoline or naphtha lamps, forty-three thousand four hundred and twenty-nine (43,429) dollars, to be expended as follows : For maintenance of present system of electric lights on Old, East, West, and Wissahickon sections of Park, thirty-two thousand eight hundred and forty-four (32,844) dollars ; for maintenance of present system of gasoline lamps on East, West, and Wissahickon sections, eight thousand and eighty-five (8,085) dollars ; for the extension of the above systems along dark and dangerous parts of the Park, two thousand five hundred (2,500) dollars.

Item 16. For extension and improvement of the water supply and for developing springs in various sections of the Park, three thousand eight hundred (3,800) dollars.

Item 17. For care, maintenance, and improvement of Hunting Park, eight thousand (8,000) dollars, to be expended as follows : For care, maintenance, and improvement, six thousand (6,000) dollars ; for macadamizing driveways, two thousand (2,000) dollars.

Item 18. For the purchase of manure and fertilizers, three thousand five hundred (3,500) dollars ; cutting grass and mowing lawns, and destruction of poison vines, eight thousand (8,000) dollars ; total, eleven thousand five hundred (11,500) dollars.

Item 19. For the betterment of the grounds used and the maintenance of the Zoological Garden, fifteen thousand (15,000) dollars: *Provided*, That ten thousand (10,000) dollars of this sum shall be paid on March 1st and September 1st, in equal payments, on the certificate of the President of the Board of Education that twenty-five thousand (25,000) tickets have been distributed before March 1st, and a like number before September 1st, entitling pupils of the public schools to admission.

Item 20. For dredging the Schuylkill river, twenty-five thousand (25,000) dollars.

Item 21. For further construction of River Wall, ten thousand (10,000) dollars.

Item 22. For procurement of designs by competition, for Fine Arts Building, to be located near Lemon Hill, fifteen thousand (15,000) dollars.

Item 23. For preservation and care of present forest trees, two thousand five hundred (2,500) dollars.

*Provided*, That no warrants shall be drawn against this appropriation unless the meetings of the Commission and its Committees shall be open to the public: *Provided further*, That the Commissioners of Fairmount Park be, and they are hereby requested to enforce the provisions of the Act of Assembly of April 14, 1868. prohibiting the sale of intoxicating liquors within the limits of said Park.

And warrants for said appropriation shall be drawn by the said Commissioners in conformity with existing ordinances. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To authorize the purchase of a lot of ground and the buildings thereon, situate on the east side of Marshall street adjoining the Fairhill School property, in the Thirty-third Ward, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and

he is hereby authorized and directed to examine the title to a certain lot or piece of ground and buildings thereon, situate on the east side of Marshall street at a distance of two hundred feet northward from the north side of Somerset street, in the Thirty-third Ward; containing in front or breadth on said Marshall street fifteen (15) feet, and extending of that breadth in length or depth eastward at right angles to said Marshall street ninety-two (92) feet, bounded northward partly by ground now or late of Woelfel and Schmunk and partly by the head of a certain four foot wide alley leading northward, and communicating with a certain nine feet eleven and a half inch wide driveway leading westward into said Marshall street, eastward by ground formerly of "The Cohocksink Land Company," southward by ground of the City of Philadelphia and westward by Marshall street aforesaid, and if he approves of the same, to cause a conveyance of the said property to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of three thousand five hundred (3,500) dollars.

SECT. 2. That the sum of three thousand five hundred (3,500) dollars be, and the same is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, to pay for the lot and buildidgs thereon above described; and warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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## AN ORDINANCE

To prevent the merging of Items 7 and 26 in the annual appropriation to the Department of Public Works, Bureau of Highways, and Item 36 in the annual appropriation to the Department of Public Safety (Bureau of City Property), for the year 1894.

SECTION. 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Item 7, for general repairs to bridges, and Item 26, for repaving with improved pavement



streets not occupied by passenger railways, in the annual appropriation to the Department of Public Works, (Bureau of Highways), and Item 36, for the improvement of Ontario Park, in the annual appropriation to the Department of Public Safety (Bureau of City Property), for the year 1894, shall not merge December 31, 1894.

Approved the thirty-first day of December, A. D., 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

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### AN ORDINANCE

To accept a donation of fourteen thousand three hundred and fifty-six (14,356) volumes of books from the Directors of the Free Library of Philadelphia.

WHEREAS, It is provided by an Act of Assembly (Laws of Pennsylvania, 1887, P. 179), approved the 23d day of May, A. D., 1887, that it shall be competent for any incorporated city within this Commonwealth, and the same is hereby empowered to take and hold any grant or donation of money, books and manuscripts, or property real or personal, for the purpose of establishing a free library within the limits of such corporation; and

WHEREAS, The Directors of the Free Library of Philadelphia have requested the City of Philadelphia to accept a donation of fourteen thousand three hundred and fifty-six (14,356) books, of which four thousand and seventy-three have been purchased with an appropriation voted by the Councils of Philadelphia, 1894, and are labelled accordingly.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That with a view to the establishment of a free library within the limits of this corporation, the said donation of fourteen thousand three hundred and fifty-six (14,356) books be, and is hereby accepted with the said view, according to the scope and meaning of the said Act of Assembly, approved the 23d day of May, A. D. 1887.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

For the creation of a Board of Trustees for establishing and maintaining a Free Library, and placing in its custody certain books belonging to the City of Philadelphia; and providing for the expenses of the said Board of Trustees.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That for the purpose of promoting the establishment and maintenance of a Free Library, the Mayor of the City of Philadelphia, *ex officio*; the Presidents of both branches of City Councils, *ex officio*; one citizen to be elected annually by each branch of City Councils, and William Pepper, R. H. Bayard Bowie, George Tucker Bispham, Samuel Wagner, Eugene Delano, J. Parker Norris, William Platt Pepper, David Pepper, Isaac Norris, George B. Roberts, Peter A. B. Widener, William L. Elkins, Simon Gratz, Clarence H. Clark, Samuel R. Shipley, Thomas L. Montgomery, Thomas Dolan and William J. Latta, be, and are hereby constituted and appointed a Board of Trustees to be known as the Trustees of the Free Library of Philadelphia.

SECT. 2. All vacancies in the said Board of Trustees (excepting *ex officio* members and the citizens elected by each branch of Councils) shall be filled alternately by the said Board and by the Mayor, subject to confirmation of the latter by Select Council.

SECT. 3. The expenses of said Board of Trustees to be charged to Item 10, in the annual appropriation to the Mayor for the year 1895: *Provided*, That Item 10½ in the annual appropriation to the Mayor for the year 1894 shall not merge December 31, 1894.

SECT. 4. The Councils of the City of Philadelphia do hereby delegate to the said Board of Trustees, in trust, fourteen thousand three hundred and fifty-six (14,356) volumes of books presented to the City by the Directors of the Free Library of Philadelphia, established under Charter dated 18th February, 1891.

SECT. 5. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the purchase of a lot of ground situate on the north side of Cumberland street west of Twenty-sixth street, and make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and he is hereby authorized and directed to examine the title to all that certain lot or piece of ground, situate on the north side of Cumberland street at a distance of one hundred (100) feet westward from the west side of Twenty-sixth street, in the Twenty-eighth Ward, containing in front or breadth on the said Cumberland street seventy (70) feet six and one-quarter ( $6\frac{1}{4}$ ) inches, and extending of that width in length or depth northward between parallel lines on the east line one hundred and seventy (170) feet four (4) inches, and on the west line one hundred and seventy-six (176) feet eleven and five-eighths ( $11\frac{5}{8}$ ) inches, and if he approves of the same, to cause a conveyance of the said lot of ground to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of four thousand five hundred (4,500) dollars.

SECT. 2. That the sum of four thousand five hundred (4,500) dollars be, and the same is hereby appropriated to the Board of Public Education out of Item 55 $\frac{1}{2}$ , of an ordinance approved June 8, 1894, to pay for the lot of ground above described; and warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

## AN ORDINANCE

To authorize the purchase of a lot of ground, with buildings thereon for school purposes, on the east side of Howard street, northward from the northeast corner of Howard and School street, and to make an appropriation therefor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Solicitor be, and

he is hereby authorized and directed to examine the title to the lot of ground, with buildings thereon, situate on the east side of Howard street at the distance of seventy-one feet and three-fourths inches northward from the northeast corner of said Howard street and School street, in the Sixteenth Ward of the City of Philadelphia; containing in front or breadth on the said Howard street fourteen feet, and extending in depth eastward one hundred feet to Hope street, bounded northward by ground now or late of Mary Penn, eastward by said Hope street, southward by ground now or late of Alexander Calhoun, and westward by Howard street, and if he approves of the same, to cause a conveyance of said lot of ground and buildings thereon to be made to the City of Philadelphia in fee, the consideration therefor to be the sum of four thousand seven hundred (4,700) dollars.

SECT. 2. The sum of four thousand seven hundred (4,700) dollars be, and the same is hereby appropriated to the Board of Public Education out of Item 55½ of an ordinance approved June 8, 1894, "To make an appropriation to certain items in the annual appropriation to the Department of Public Works, Bureaus of Gas, Surveys and Water, and Board of Public Education for the year 1894," to pay for the lot of ground, etc., described in the first section hereof. Warrants to be drawn by the Board of Public Education in conformity with existing ordinances.

Approved the thirty-first day of December, A. D. 1894.

EDWIN S. STUART,

*Mayor of Philadelphia.*

OPINIONS  
OF THE  
CITY SOLICITOR,

FROM  
January to December, 1894.

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Opinions given by the City Solicitor, from January  
to December, 1894, to the Select and Common  
Councils, Committees of Councils,  
Heads of Departments, etc.

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PHILADELPHIA:  
DUNLAP PRINTING COMPANY,  
1306-8-10 Filbert Street.  
1895.



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OPINIONS  
OF THE  
CITY SOLICITOR  
DURING 1894.

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LAW DEPARTMENT.

*Philadelphia, January 2, 1894.*

HON. EDWIN S. STUART,  
Mayor of Philadelphia.

DEAR SIR:—I am in receipt of your communication of the 29th ult. in which you enclose me copy of a communication received by you from the Receivers of the Philadelphia & Reading Railroad Company concerning the question of the depressing of the tracks of that company at Pennsylvania avenue, from Broad street, westward. You request my opinion as to whether or not the City of Philadelphia has the right to enter into such an agreement as that proposed by the company, and also whether or not the City at this time has the power to create a loan in amount sufficient to carry into effect the improvements contemplated under said agreement.

The communication addressed to you dated December 9, 1893, by Joseph S. Harris, Edward M. Paxson, John Lowber Welsh, Receivers of the Philadelphia and Reading Railroad Company, reads as follows: "The plan suggested by you for the removal of the grade crossings on Pennsylvania avenue, from Broad street to Fairmount Park, has been submitted to and approved by the Board of Managers of the Philadelphia and Reading Railroad Company, and whenever it becomes expedient, the necessary application will be made to the United States Circuit Court for authority to enter into a contract upon the terms proposed by you." The same communication further states: "To avoid misapprehension, we deem it proper to say that we understand the proposition to be that the City shall cause the railroad tracks to be lowered on Willow

street and Pennsylvania avenue, and the railroad to be put in as good condition in respect to connections with adjacent industrial establishments and to facilities for the transaction of business, as it now occupies, and that the Railroad Company shall agree to repay to the City the interest paid by it on one-half of the cost of the completed improvements, and such additional amounts annually as shall constitute a sinking fund sufficient to retire one-half of the cost within thirty years."

In answer let me state that I am of opinion that such a contract as is contemplated may be entered into between the City and the Receivers of the Philadelphia & Reading Railroad Company, provided authority be given by the Court to the Receivers to enter into such an agreement. In so far as the authority of the City is concerned, I desire to state further that, in my opinion, in the matter of a public improvement such as is contemplated, the City has full power to enter into such a contract, and I am further of opinion that if permission or authority be given by the Court to the Receivers of the said Company, that the contract would be binding upon said Company.

In answer to your second question, as to whether or not the City at this time has the power to create a loan in an amount sufficient to carry into effect the improvements contemplated under said agreement, I am of opinion, in view of our recent consideration of this matter and the figures that were submitted to me, that the City has the power to create a loan sufficient for the purpose contemplated.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 2, 1894.*

*Test of 20,000,000 gallon Worthington Pump, Spring Garden Station.*

JAMES H. WINDRIM, ESQ.,

Director Department of Public Works.

DEAR SIR:—Your favor of the 21st ult., in reference to the test of the 20,000,000 gallon pumping engine at the

Spring Garden Station, furnished by Henry R. Worthington, received. You enclose, also, copy of your letter to me of the 29th of November; also, letters of H. W. Spangler and J. J. De Kinder, Esqs., experts; your letter to the Henry R. Worthington Company; and your letter to H. W. Spangler, and his answer thereto.

It appears that Henry R. Worthington is the contractor for the construction of the 20,000,000 gallon pumping engine, under certain specifications. You state that the engine was to be tested for duty under formula contained in the specifications by two experts, one chosen by the City of Philadelphia, and the other by the contractor, and they two to select a third, if necessary. The experts selected are H. W. Spangler and J. J. De Kinder. You further state that the City has not the pipe, either in length or elevation, to test the duty of the engine, and, to obtain a pressure equal to the terms of the specifications, it is required to use a valve on a pumping main to check the flow of water and to give resistance equivalent for the test. The plan for testing the engine, as mentioned in your letter, was that agreed upon by the experts selected under the contract. It appears that the test was started, but, on account of some irregularity, was called off by Henry R. Worthington, and that Mr. Worthington now objects to resuming the test unless the City assumes all responsibility of damage which might occur, either to mains, buildings, or pumps, by any failure in the mains or appliances furnished by the City, and that the two experts have agreed that the City should accept the conditions suggested by Mr. Worthington. Those conditions, in your letter of the 23d ult., you agreed to. Since then it appears that the engine is not ready for testing, and that, in fact, the engine is reported to you as unworthy.

In your letter of the 29th ult. you refer to a letter received from C. W. McKeehan, Esq., attorney for Henry R. Worthington, and you request me to advise you in what form you shall proceed to have the test made.

In answer thereto, I would advise you to do as you suggest—notify Mr. Worthington to have the engine ready for the test, and then permitting the experts selected under the contract to make the test.

As you state it is impossible to supply a main 15,600 feet long in order to test the engine, and as the experts have sug-

gested that the same result can be obtained by shutting down the 48-inch valve near the engine-house, then you are justified in permitting the experts to make the test in the way which they have agreed upon as equivalent to that set forth in the contract. It is not necessary for you to assume any liability, and you would not be personally responsible by permitting the test to be made in the only practicable way in which it can be done. The fact that the experts selected under the terms of the contract have agreed upon this method of testing would relieve you from any personal responsibility therefor. Whatever damage might be caused by the breaking of the main, the City would necessarily be liable therefor, unless it was caused by some carelessness in the testing by Henry R. Worthington, or the improper construction of his engine.

I assume that the contract with Henry R. Worthington requires the City to furnish the necessary appliances for the purpose of testing the engine. If that be so, then there would be no liability upon the part of Henry R. Worthington for any injury caused by any defect in the appliances furnished by the City for the testing.

It is not necessary, as I have already stated, for you to make any agreement as to the City's liability for damage. Notify Mr. Worthington to have his engine ready for testing, and let the experts perform the test under the contract. The result of this can take care of itself. If there be any injury or any damage caused by reason of the appliances furnished by us, the City would be responsible, and for any injury caused by Mr. Worthington, he, of course, would be responsible.

Since writing the above I have received a letter from C.W. McKeehan, Esq., attorney for Henry R. Worthington, and he refers in the letter to a modification of the contract. I do not see any necessity for any modification of the contract. If the test cannot be performed as stated in the contract, a method equivalent thereto, agreed upon by the experts, would be a sufficient compliance.

I will communicate with Mr. McKeehan.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*



## LAW DEPARTMENT.

*Philadelphia, January 4, 1894.*

HON. ABRAHAM M. BEITLER,  
 Director of Public Safety.

MY DEAR SIR:—I am in receipt of your communication of the 2d instant, in which you state that on the 31st day of March, 1892, the Mayor approved an Ordinance which ordained: “That permission be and the same is hereby granted to the Thirteenth and Fifteenth Streets Passenger Railway Company to use electric motors as the propelling power of its cars *on its tracks as the same are now authorized to be laid.* Commencing at Fifteenth and Cumberland, thence south to Mifflin, thence to Broad, to Jackson, to Thirteenth street, to Cumberland, and thence to place of beginning, and on Locust street from Thirteenth to Fifteenth, said motors to be supplied from overhead wires.”

You further state that last week the Philadelphia Traction Company made application to Chief Walker, of the Electrical Bureau, for a permit to erect poles on Carpenter street from Thirteenth to Fifteenth streets.

You desire my opinion as to whether or not the Company has the right to introduce the system known as the Trolley System upon Carpenter street between Thirteenth and Fifteenth streets.

In answer, I reply as follows: The Thirteenth and Fifteenth Streets Passenger Railway Company was incorporated under the Act of April 8th, 1859, P. L. 429. The said Act provides *inter alia*, that the Thirteenth and Fifteenth Streets Passenger Railway Company shall have power to lay out and construct a railway from the intersection of Carpenter and Thirteenth streets: thence north along said Thirteenth street to Columbia avenue; thence west along said Columbia avenue to Fifteenth street; thence south along Fifteenth street to Carpenter street; thence east along said Carpenter street to the place of beginning.

It will be seen under this Act that the said Company has authority to construct its line on said Carpenter street. The Ordinance of 31st of March, 1892, giving to the said Company trolley privileges provided that the said Thirteenth and

Fifteenth Streets Railway Company shall have permission "to use electric motors as the propelling power of its cars on its tracks as the same are now authorized to be laid."

This language in the Ordinance in my opinion gives to the said Company the right to construct a trolley system on said Carpenter street. The language is clear that authority is given to the Railway Company to use its electric motors on all its tracks, or those tracks which it has the right to lay under its Act of Incorporation. The mere fact that in the enumeration of the streets in the Ordinance Carpenter street was omitted does not in my judgment overcome the language of the Ordinance which refers to the use of electric motors on the tracks that are now authorized by law to be laid by said Company under its charter.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 8, 1894.*

W. H. FELTON, ESQ.,

Clerk Com. Highways.

DEAR SIR:—I am in receipt of your communication enclosing copy of a proposed ordinance as follows:

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is hereby granted to Peter S. Dooner to construct a vault under Chant street, east of Tenth street, in the Ninth Ward; the said vault to be not more than eight (8) feet in width from the south curb line of Chant street, twenty-eight (28) feet in length and ten (10) feet in depth. The said vault shall be constructed and supported by substantial stone, iron and brick work, which shall be subject to the inspection and approval of the Department of Public Works. In the construction of the said work the said Peter S. Dooner shall provide through the

Department of Public Works for the removal of any sewer, water pipe, gas pipe or conduits, either above or below the vault, or the re-location of the same to such points or positions as will in no way interfere with the sewage, or water and gas pipe supply, and shall be at all the cost, charges and expense in any change or re-location as above provided for. Before beginning the work, the said Peter S. Dooner shall submit plans and drawings of the proposed vault to the Board of Highway Supervisors, and before a permit is issued by the Department of Public Works, said plans shall be approved by the said Board of Highway Supervisors: *Provided*, that said Peter S. Dooner shall first file a satisfactory agreement with the Department of Public Works to be responsible for all damages which may be caused by reason of this privilege being granted to him so long as the vault shall remain in said street. The said Peter S. Dooner shall replace the paving of the street in good condition after the construction of said vault. The work to be done under the supervision, and to the satisfaction of the Director of the Department of Public Works. The said vault to be removed at any time Councils may by resolution or ordinance direct, and the street placed in as good condition as before the removal thereof. The sum of fifty (50) dollars to be paid into the City Treasury for the printing of this ordinance before any privileges are exercised thereunder: *Provided*, That Peter S. Dooner first file a satisfactory bond with the City Solicitor indemnifying the City from any damages which may arise by reason of the granting of said privileges.

You state that you were "directed by the Committee on Highways to submit to me the enclosed draft of ordinance to authorize Peter S. Dooner to construct a vault under Chant street, in the Ninth Ward; and to request that I examine the same and define the powers of Councils to pass such an ordinance."

In answer thereto I would state that the proposed ordinance would be special legislation, and that Councils have power only to provide for the construction of vaults by a general ordinance.

Councils can, by a general ordinance, provide for the construction of vaults in the manner proposed in the ordinance submitted to me, and under the regulations therein proposed, grant a permit to the said Peter S. Dooner to construct a

vault. The general ordinance can contain all of the provisions and conditions mentioned in the proposed ordinance and provide how a permit can be obtained.

Yours very truly,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 11, 1894.*

*In re charges by meter for water.*

JAMES H. WINDRIM, ESQ.,

Director Department of Public Works.

DEAR SIR:—In reply to your communication asking whether or not under certain ordinances quoted in your letter, the Department of Public Works is authorized to stop the supply of water to skin dressers who are delinquent in paying bills to the City, charges for which have been assessed by meter measure.

The supplying of water and gas by the City is not a municipal duty, hence, when the City undertakes to do so, it acts by no right of sovereignty, but exercises merely the functions of a private corporation. *Western Saving Fund Society vs. City*, 7 Casey, 175; *Wheeler vs. City*, 27 P. F. Smith, 338.

The City may adopt such rules with regard to the use of the water or the payment therefor as the municipal authorities shall deem expedient.

The Ordinance of March 22, 1862, provides that all water rents shall be payable to the Register of Water Rents at his office annually, in advance, on the second Monday of January; and upon all water rents unpaid on the first day of May of each year there shall be charged the sum of five per centum, and upon all rents unpaid on the first day of July in any year there shall be charged an additional sum of ten per centum, and if such rent with the additional charges shall remain unpaid on the first day of December in any year, the

said Register shall notify the Chief Engineer of the Water Works of the names of such delinquents, who shall cause the ferrules of all such delinquent water tenants to be detached from the pipe or conduit and suit instituted for the recovery of such rent.

In *Girard Life Ins. Co. vs. City of Phila.*, 88 Pa. St., 393, a suit arising under the above ordinance, it was decided that under this ordinance no precise time was fixed when the ferrule shall be detached; the water rent is payable in advance and the water may be cut off at any time after the first of September.

The City supplying water, not as a municipal duty, but merely exercising the functions of a private corporation, it may make such regulations for charging consumers of water as any private corporation might do.

The City, under Ordinance of June 1, 1871, authorized the attaching of meters to the pipes supplying large consumers with water, and the Water Committee having determined that skin dressers should be charged for the water consumed by them by meter measure, they are liable for the water consumed according to meter rate, and if for the water consumed payment is not made after notice within the time prescribed by the proper authority, the ferrule may be drawn and the water shut off.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 11, 1894.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR:—I received your communication in relation to the alteration of the building, situate No. 1602 Chestnut street. It has been urged that the alteration of the front of the building is being done in violation of the Ordinance of Councils, approved March 31, 1884, and that the entire front

of the building should be set back to the new line. You also request me to institute proceedings looking to the enforcement of the order of the Building Inspectors.

I have looked into this matter carefully, and desire to submit the following before anything be done by this Department :

From the facts and plans submitted, as well as from the report of Assistant City Solicitor, Norris S. Barratt, Esq., who has made a personal inspection of the premises, I find that No. 1602 Chestnut street was built for and has been used until recently as a dwelling house. C. F. Vollmer, the present tenant, proposes to use it for the sale of furniture, and with that end in view he has taken down the marble steps which formerly projected into the footway 4 feet 6 inches, and has placed them inside the doorway. The window frames have been taken out and replaced by others of the same size. The sashes have been removed and large panes of glass substituted for small ones, and ornamental wood work used for sign purposes between the windows has been nailed upon the front wall, under, above and between the two windows. With this exception, the outside wall or front of the building is not disturbed or altered, nor are the girders, joists, floors or walls interfered with or changed in any particular upon the inside.

The Ordinance, approved March 31, 1884 (Ordinances of 1884, p. 54), provides :

“ That the Department of Surveys be, and is hereby authorized to revise the City plan so as to make Chestnut street, from the Delaware river to the Schuylkill river, of the width of sixty (60) feet, widening equally both sides from the old centre line.

“ SECT. 2. After the confirmation and establishment of said lines, it shall not be lawful for any owner or builder to erect any new building, or to rebuild or alter the front of any building now erected, without making it recede so as to conform to the lines established for a width of sixty (60) feet.”

The question for our consideration is, is the alteration to this building such an alteration as will require under the Ordinance the front line of the building to recede so as to make Chestnut street at that point sixty feet in width? Under the facts, is it such an alteration as is contemplated by the Ordinance? Removing the door steps and placing them inside the door cannot certainly be said to be such an altera-

tion. Every encouragement should be given to property holders to remove such obstructions extending into the foot-way on such a thoroughfare as Chestnut street.

The change of the building from a dwelling house to a store, if the front is not actually altered, is unimportant, as has been decided in Brice's Appeal, 89 Pa. St., 89. In that opinion it was held that the Building Inspectors had to look to the construction of a building to see that it conformed to the law, but they had no power to regulate its use. The Ordinance provides: "It shall be unlawful to erect any new building, or to rebuild or alter the front of any building now erected without receding." I think this means a substantial alteration. If the brick work separating the two windows were taken out for the purpose of changing it from a dwelling house into a store, I think it would be clearly within the terms of the prohibition in the Ordinance, but, I am of opinion, that to merely change the size of the panes of glass, and replace old window frames with new ones, is not such an alteration as is contemplated by the Ordinance, and which would require a recession of the building. To hold otherwise would be such a narrow construction as would prevent an owner of property from replacing an old sash or door with a new one without receding. It certainly cannot mean that. In this particular case the front wall itself and the entire brick work remain intact as before the change.

I am of opinion that Mr. Vollmer has not made such alterations as require the building to recede, under the ordinance above quoted.

I may add for your information, that the Acts of Assembly, approved April 28, 1870 (P. L. 1291), defining the line of the south side of Chestnut street as 539 feet southward from south side of Market street, expressly provides: "That this act shall not interfere with any building now erected on the south side of Chestnut street." This, therefore, has no application to the present matter.

I have looked into this case with considerable care, and have submitted to you the facts in my possession. I do not care to institute proceedings in law where all the facts induce me to believe that we could not maintain our position in court.

If you have any information in your possession that will

induce me to change my opinion in this matter, I will be glad to hear them. I should much like you to verify the facts on which I base my opinion.

Yours very respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 12, 1894.*

A. L. EISENHOWER, ESQ.,  
Chief, Bureau of City Property.

DEAR SIR:—In answer to your communication respecting the right of the Kendall Manufacturing Company to obtain a license to peddle “Soapine” in the City of Philadelphia, I would say that I am of the opinion that said Company should be granted a license.

The Act III George II, A. D. 1729, regulating peddlars, vendues, &c., in the Province of Pennsylvania, is the Act upon which the several acts and supplements thereto have been based, regulating peddling within this State. The original act, as the preamble indicates, was enacted for the purpose of keeping out of the Province a certain class of irresponsible persons, who either used the business of peddling for imposing upon the credulity of the citizens of the Province as to the quality or value of their goods, or who used the business of peddling as a means to gain access to the houses of its citizens, for the purpose of committing felonies therein. In order, therefore, that no person except those of well known good character should be permitted to peddle within the Province, the act provided that no license should issue until the applicant should have received a recommendation from the Justices of the County Court where such person resided, certifying as to the applicant’s honesty and that he lived in the Province, upon which recommendation he was entitled, upon giving bond, to obtain a license to peddle goods, &c. It provided, also, “That nothing herein contained shall extend or be construed to extend \* \* \* \* or to hinder any persons from carrying about from town to town, and from house



to house, any goods, wares or merchandise, being of the growth, product or manufacture of this Province; but that such person or persons may do therein as they lawfully might have done before the making of this act; anything contained herein to the contrary." This act was clearly intended as a police regulation.

This Act was followed by an Act passed on the 26th day of November, 1779, which, however, was limited to continue no longer than the war. (Foot note 2d Smith & Read Laws, p. 99.)

The Act, 30 March, 1784 (Smith & Read, p. 99), was practically a re-enactment of the first mentioned act. It provided, however, "that no person whatever \* \* \* shall expose to sale in any of the public market places within the City of Philadelphia, the District of Southwark, or the townships of Northern Liberties, \* \* \* or in the open streets or highways thereof, except at the times appointed by law, for holding fairs therein, any goods, wares or merchandise, other than the growth, produce, or manufacture of *this* or the *adjoining States*," etc.

It will be noted that this Act made no discrimination between residents or non-residents of the State, nor of the goods, etc., being the growth, etc., of this and adjoining States; that is, States bordering upon this State.

A supplement to the last mentioned Act was passed March 29, 1799, restricting the issuing of peddlers licenses to citizens of the United States, and who from disability or infirmity were unable to procure a livelihood by labor. The restriction in the former Act relating to the sale or vending of foreign goods, wares and merchandise in the City of Philadelphia, the District of Southwark and the township of Northern Liberties was continued, and extended so as to include the townships of Moyamensing and Passyunk.

The Act of 2 April, 1830 (P. L. 147), authorized the Court of Quarter Sessions of the respective counties, or two Judges thereof in vacation, to issue licenses to persons being within the provisions of the Acts of 1784 and 1799, and regulated the amount that should be paid for said license. This Act, as the others had done, prohibited any person from selling, vending or exposing to sale, any foreign or domestic goods, etc., in the City of Philadelphia, the District of Southwark or the townships of Northern Liberties, Moyamensing

and Passyunk. The Act also contained the proviso, "That nothing contained in this Act shall prohibit the citizens of this Commonwealth who may manufacture goods, wares or merchandise within this Commonwealth, from vending or exposing to sale in the same manner as if said act had not been passed into a law," which was in effect a re-enactment in a restricted sense of the proviso of the Act of 1784, that any person could carry about from town to town, and house to house, any goods, wares or merchandise, being of the growth, product or manufacture of this State.

Prior to the passage of the Act of 1830, goods, etc., being the growth, etc., of this and adjoining States, could be hawked, peddled and vended (and the terms may be used interchangeably) by any person within the City of Philadelphia without first having obtained a license so to do. By the last mentioned Act, however, the right to peddle without a license applied to residents only and in addition was restricted to the goods of their own manufacture or the product, etc., of this State.

I am of the opinion that no such discrimination can be made against the goods, wares or manufactures of another State, nor against the residents thereof. The Legislature has the undoubted right, in the exercise of its police power, to say whether goods may or may not be sold in a particular way. It, however, cannot provide by enactment that goods of this State may be sold in a certain way, or that a resident of this State can have the exclusive right to a particular method of disposing of his goods and in such manner as to discriminate either against goods, etc., being the growth or manufacture of another State, or against a resident of such other State. If it opens the door to one, it must do so to all. This right was well defined by Mr. Justice Williams in *Comm. vs. Gardner, et al.*, 133 P. S., 284, when he stated that "The citizens of another State may come into Pennsylvania when he will and where he will, stay as long as he chooses, open as many places for the sale of his goods as he may see fit, and enjoy the same measure of freedom in regard to the conduct of his business as a native citizen \* \* \* \* His rights are equal to, but not above, those of the citizen \* \* \* \* He has no better right to take a pack on his back, or a horse and cart, and engage in the business of peddling than a citizen."

In the above case the defendants were agents of the "Kendall Manufacturing Company" and had been indicted for peddling without a license in Schuylkill County. By Act, 17 April, 1846 (P. L. 364), the sale by any person, as a broker or peddler, of foreign or domestic goods, wares and merchandise, in the County of Schuylkill, was forbidden. The contention on the part of the defendants was that interference with their business was an infringement of their rights as citizens of the United States, and an infraction of the Interstate Commerce Act. It will be noticed by this Act (1846) there was no attempt to discriminate in favor of the goods, wares or merchandise, nor in favor of the residents of Schuylkill County. In other words, it was a proper exercise of the police power of the State, and in no wise could be construed to be an infringement of the right of one class of individuals. It applied to residents and non-residents alike, and was therefore valid. The same cannot be said, however, of the Acts of 1799 and 1830 as applied to the City of Philadelphia, for the former of said Acts gave the right to the licensee to vend articles, "the growth, produce, and manufacture of the State," and by the latter Act, that nothing therein contained should "prohibit the citizens of this Commonwealth, who may manufacture goods, wares or merchandise within this Commonwealth, from vending or exposing the same to sale, in the same manner as if said act had not been passed into a law."

When a municipality is created, it is vested by the State with such powers as are, or may be, essential to a proper fulfillment of the purposes of its creation. The regulation of the manner in which a business deemed harmful to the person or property of its citizens shall be conducted is incident to such power. The right to grant or refuse the privilege to peddle goods within its corporate limits is within the discretion of its authorities as a proper exercise of its police power. It must make its election without discrimination, however.

We come then to the question: Has the City of Philadelphia, therefore, the right to say whether persons shall first obtain a license to peddle, before doing so, within its corporate limits? The State has said, through the Legislature, that residents of the State may exercise the right to peddle within the city goods, etc., being of their own manufacture, or the product, etc., of the State, as though the act had not been passed. The City has not been divested of its right to a

proper exercise of police power, and it remained for it to say whether a license should be required.

By Ordinance of Councils, 7 April, 1880 (p. 113), it was provided:

“That the owner or owners of any cart, wagon or barrow or other vehicle, or any person using the same for the purpose of carrying and exposing to sale in the public streets of the City of Philadelphia any vegetables, fruits, berries, fish, oysters, general produce, wood, coal or any wares or merchandise of any description whatsoever, shall, on or between the first and thirtieth days of April next, and on or between the first and thirty-first days of January of each year thereafter, apply to the Commissioner of Markets and City Property for a license, stating his, her or their name or names and place or places of residence.”

While the City, therefore, may grant or refuse to grant a license to peddle within its corporate limits, it has not the power to discriminate against either the person or the goods of the applicant for a license. To do so would, in the words of the Supreme Court, in *Borough of Sayre vs. Phillips*, Vol. 49, Adv. Rep., 596, be a trade regulation, and not a proper exercise of the police power of the municipality. Nor could the State vest the City with any such authority.

If the provision of a State license and tax act are designed by the Legislature to discriminate against non-resident merchants and against goods sold from other States in favor of resident merchants and goods held in the State for sale, and if such discrimination be the practical effect of the law, it is unconstitutional and void. 12 Fed. Rep., 538.

In *Borough of Sayre vs. Phillips*, *supra.*, Williams, Judge, said, *inter alia*: “But it is very clear that a police regulation must be directed against the business or practice that is harmful, not against one or some of the persons who may be engaged in it. The laws of the State are so framed. They are directed against the business of peddling. The ordinances of cities and boroughs must, in order to be supported as an exercise of the police power residing in the municipality, be directed in like manner at the business. If a statute, or a municipal ordinance, is in reality directed only against certain persons who are engaged in a given business, or against certain commodities, in such manner as to discriminate between the persons who are engaged in the same trade or pursuit, in aid of some at the expense of others, such statute

or ordinance is not a police, but a trade regulation, and it has no right to shelter itself behind the police power of the State or the Municipality. A law that should prohibit all persons peddling goods manufactured or produced in other States, and permit the same persons to peddle goods of the same character manufactured or produced in this State, would be a trade regulation discriminating between the productions of this and sister States, and would be incapable of enforcement, because in violation of the constitution of the United States. So a law that should forbid the Court to grant a pedler's license to any person resident in any other State, but should authorize the granting of licenses to citizens of this State, would be bad for the same reason."

The facts in the above case were as follows :

"The Borough of Sayre passed an ordinance requiring all persons peddling goods, etc., in the borough, to take out a license, and pay a fee of three dollars per day, or fifteen dollars per week for some, and two dollars per day, or ten dollars per week, for other businesses, and containing this proviso : 'Provided, This Ordinance shall not apply to those persons holding a mercantile license residing in said borough, or to persons residing in the county selling or offering for sale goods of their own manufacture, or the products of their own farm or garden, or the sale of papers, magazines, bibles or religious tracts.' At the trial of the defendant for peddling without a license, it appeared that he was selling goods for a firm in the State of New York ; he would solicit orders from persons at their residence, and then bring the goods thus ordered from that State, deliver them, and receive the price. The goods sold were the property of the firm, which had thus done business for nine years in the borough. The Court directed the jury to find a verdict for the defendant, charging them that the license-fees required by the ordinance were excessive and prohibitory (\$780 per year), so that, instead of being a police regulation, it was a restraint of trade. The assignments of error were to this direction and charge of the Court, and the refusal to give binding instructions for plaintiff."

I am of the opinion, as above stated, that a license should be granted to the Kendall Manufacturing Company.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, January 12, 1894.*

ADAM S. ABEL, ESQ.,

President, Eighteenth Ward School Board.

DEAR SIR:—I am in receipt of your communication in which you ask my opinion as to the power of the Sectional School Board to declare vacant the seat of a member of the Board who has absented himself from three or four meetings.

In answer, I would say that Section 2 of the Act of February 16, 1865, provides:

“If any person, duly elected a school director, shall refuse to attend a regular meeting of the board, after having personally received written notice from the secretary to appear and enter upon the duties of his office; or, if any person having taken upon him the duties of his office, as director, shall neglect to attend any three regular meetings of the board in succession, unless detained by sickness, or prevented by absence from the district, or shall refuse to act in his official capacity, when in attendance, for three regular meetings, the directors present shall have power to declare his seat in the board vacant and appoint another in his stead to serve until the next municipal election.”

Yours very truly,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, January 13, 1894.**In re Sewer Bill, Albert street east of Twelfth street.**Notice of Sewer Bills.*

GEORGE S. WEBSTER, ESQ.,

Chief Engineer, Bureau of Surveys.

DEAR SIR: I am in receipt of your communication stating that the Director of the Department of Public Works had directed you to withdraw from this Department the claim against Thomas Convery, for an assessment for the construc-

tion of a sewer in front of the property south side of Albert street, one hundred and ten feet east of Twelfth street.

The claim referred to by you cannot be withdrawn, as a lien has been filed for the same. You request me to receive the original amount of the claim if the same cannot be withdrawn. This cannot now be done, as costs have been incurred.

You make this further inquiry: "I would like to be informed in this connection whether there is any law or ordinance touching the term of thirty days, which has always been allowed on these claims."

I refer you to my opinion (page 86, Ordinances of 1886); Ordinance of January 28, 1855, Brightly's Digest, 195; Ordinance of May 3, 1855, *ibid*, 230; Ordinance of June 12, 1868, *ibid*, 231; Ordinance of March 16, 1886, *ibid*, 196, and Act of March 27, 1866, *ibid*, 300.

You will see from the Ordinances and Act above referred to, that in the paving of streets and the laying of water-pipe, there is a provision for giving thirty days' notice to the owner. This notice was originally given providing for a deduction of five per cent. if the bill were paid within thirty days. It was repealed by a subsequent ordinance, as to the reduction of five per cent. only. The Act referred to provides that sewer claims shall be recovered, as liens for the laying of water-pipe are now recoverable. In order to preserve a uniform system in all of the claims, the above ordinances were held to refer, by virtue of the Act, to sewer claims. A claim should not be sent to this Department to be liened, until after the thirty days notice has expired.

Yours very truly,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 13, 1894.*

*In re Right of Assessment for Sewers.*

GEO. S. WEBSTER, ESQ.,

Chief Engineer, Bureau of Surveys.

DEAR SIR:—Your favor of the 9th inst., received. You state that about five years ago sewers for house drainage were

constructed on several streets in Manayunk, in the Twenty-first Ward, and that the cost of construction of the said sewers was paid for by the City and not assessed against the properties. That the City is now constructing in the same streets storm-water sewers for the purpose of carrying off the roof water and general surface drainage of the abutting properties for the drainage of the highways. As these latter sewers complete the entire drainage system, you desire to know whether the properties abutting on the said streets are not assessable at the usual rate for the building of the sewer. In the case of the City of Erie *vs.* Russell, 30 W. N. C., 26, the Supreme Court held that the cost of the reconstruction of a sewer could not be charged against the properties, when the owners had paid for the construction of the original sewer. So in Philadelphia *vs.* Werner, 8 C. C. Rep., 97. In the former case the Court said: "The reasoning which supports the rule established in relation to the repaving of streets applies with equal pertinency and force to the reconstruction of sewers."

In the City of Harrisburg *vs.* Segelbaum, 151 Pa. St., 172, it was decided that the cost of repaving a public street cannot be assessed upon and collected from the property abutting on the street, though the cost of the original paving was not borne by the then owners of the abutting property, but by the public.

In the case you refer to me, it appears that there was a sewer already in the street for house drainage, and that now you desire to assess the properties for the construction of a sewer for surface drainage only, as the said properties were not assessed for the construction of the first sewer. This presents a new question, as besides the fact that the properties were not charged for the first sewer, the two sewers together completing the drainage system are equivalent to one sewer constructed for all drainage purposes, and the property owners are being charged for only one construction. There is some doubt as to the liability of the property owners for the construction of the second sewer, and I would advise you that the assessment be made against the properties, and if not paid the liens be filed and an attempt be made to collect the same.

In cases like these it strikes me it would be fair for the City



to take the liens, assume the collection of the same, and pay the contractor for his work.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, January 19, 1894.*

GEORGE S. WEBSTER, Esq.,

Chief Engineer and Surveyor, Bureau of Surveys.

MY DEAR SIR:—Replying to your favors of November 21, 1893, and January 10, 1894, inquiring whether or not your Department can properly approve the plan of tracks to be laid on Lancaster avenue, from Fifty-second street to the County Line, submitted by the Hestonville, Mantua and Fairmount Avenue Passenger Railway Company, I would state:

Assuming the facts to be as set out in your favors of the dates indicated, the City having acquired no title from the Philadelphia and Lancaster Turnpike Company for any portion of Lancaster avenue between the points indicated, the grading between Fifty-second and Fifty-sixth streets having been done under an arrangement with the said turnpike company, and there having been conveyed or granted to the Hestonville, Mantua and Fairmount Avenue Passenger Railway Company by deed dated June 28, 1859, by the Philadelphia and Lancaster Turnpike Company a right of way for two tracks over the said Lancaster avenue (or road as far out as the City line), the purchase of these rights having been authorized by act of Assembly, and no portion of Lancaster avenue having been freed from tolls, I am of opinion that your department would be authorized in approving the plans for the laying of the tracks as aforesaid.

Yours very truly,

CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 2, 1894.*

ROBERT R. BRINGHURST, ESQ.,  
Chairman, Wharf Commission.

DEAR SIR:—The inquiries made by you personally, subsequent to my opinion of September 15, 1893, respecting the right of the City of Philadelphia in its wharves and docks on the Delaware and Schuylkill rivers, impel me to make a *résumé* of the entire matter, in order that I may more fully meet your inquiries.

In order to have a proper understanding of the matter, it is necessary for me to go back to an early period in the history of the City.

The present site of Philadelphia passed into the possession of William Penn, who became its Proprietor by Royal Charter and deed of confirmation from the Duke of York, who had previously received grants of a large section of the country of which this formed a part. Penn plotted the town with streets running north and south, and east and west. The squares or blocks between the streets were redivided into lots, and from time to time were granted by Penn to each purchaser of a certain number of acres of the country adjoining. The City, as laid out by him, was bounded on the west by the Schuylkill river; on the east by the Delaware river; determined on the north by the north side of Vine street, and on the south by the south side of Cedar street (now South street). The town lots above referred to did not extend eastward further than within one-quarter of a mile of the Delaware river. (Lewis on Original Land Titles.) On August 3, 1684, the owners of the lots on the west side of Front street, claiming generally as first purchasers and thinking, no doubt, that their rights extended as far as the water edge, presented a remonstrance to the Proprietor (Penn), and claimed to have the privilege of building vaults or stores on the banks against their respective lots, and to enjoy them as a right." Penn denied the validity of this claim, stating in his answer: "The bank is a top common, from end to end; the rest next the water belongs to front lot men no more than back lot men: the way bounds them . . . but into the water, and the shore is no purchaser's." (1 Proud's History of Penn-

sylvania, 244.) It will be seen from the above that Penn continued to be the riparian owner of the City front, as, notwithstanding the conveyance by him of city lots, the owners thereof acquired no title to the land along the line of the river, as their rights were limited and defined by the way (street or common) between their property and the river. As stated by Penn, they had acquired no title to the shore and therefore had acquired no riparian rights. These rights were and continued to be vested in the Proprietary.

On October 26, A.D. 1701, William Penn granted a charter to Philadelphia wherein it was provided, among other things, that the streets are to continue forever as they are now laid out and regulated, the Delaware end to be free, as now, for the use and service of the city and people, with power to improve and build wharves so far out into the river there as the Mayor, Aldermen and Common Councils shall deem meet.

The Act, 25th March, 1805, Section 6, provides that the corporation of the said city shall be invested with all and singular the powers and authorities, jurisdiction, rights and immunities in, to, and over the ends of each and every public street or alley, which extends to or into the river Schuylkill, as fully to all intents and purposes, and to the like uses, as by the said charter, or any law of this Commonwealth, is or are granted to the former or present corporation of the said city, respecting the east ends of the several streets, which extend to or into the river Delaware.

It will be seen that, by the charter of Penn (1701) the streets were to be continued as laid out, and that the Delaware end was to be free for the use of the city and people, and that the city was authorized to build wharves extending from the ends of said streets, as riparian owners may do under subsequent acts of the Legislature.

The riparian owner, whether a corporation, public or private, or an individual, has an absolute ownership in his or its property adjoining a navigable stream, to ordinary high water mark; they have a qualified ownership therein to ordinary low water mark. The land between high water mark and low water mark is subject to the right of the public to navigate over the same when there is sufficient water to enable them to do so. Such land, however, is subject always to the passage of the public over it, as an easement, and the propri-

tor cannot, without consent of the Commonwealth, construct any erection thereon which will interfere with navigation, (*Hartley vs. Crawford*, 33 Leg. Int., 24; *Flanagan vs. City*, 6 Wright, 219.) In the latter case Woodward, Judge, said. *inter alia*: "there is no natural right of the citizen, except the personal rights of life and liberty, which is paramount to the right to navigate freely the navigable streams of the country he inhabits. . . . Rights of navigation may be impaired by legislation but cannot be destroyed on account of grants of power which the State made to the General Government, as contained in the Constitution of the United States, to regulate commerce between the several States." In Philadelphia, however, within the jurisdiction of the Port Wardens, it has been held that the riparian owner may build his wharf to low water mark without license so to do, as will appear by the decision of Allison, Judge, in Borough of Frankford *et al, vs. Lennig* (1 Amer. L. Reg., 357): "The public have an easement over the space (between high and low water marks) until rescued by the owner and appropriated to his own use; for, when covered with water, it is part of the river, and any one can navigate, fish, pass or repass over it at high tide."

The bed of a navigable river below low water mark is in the Commonwealth, and no erection can be made therein except by license of some duly constituted authority. In order to meet the growing demands of commerce the Legislature has enacted that certain structures may be made in the Delaware and Schuylkill rivers, license so to do having been first had and obtained of the Board of Wardens of the City of Philadelphia, which body was first constituted by Act, 29th March, 1803.

While the riparian owner may obtain a license from the Board of Port Wardens to erect a wharf into the river, they do not acquire thereby an absolute ownership in the wharf when erected. It may descend to his heirs or be conveyed by him as other real estate may descend or be conveyed, but always subject, nevertheless, to certain rights vested in the public. For instance, a wharf being unoccupied, a ship owner has the right to tie his vessel thereto and load or unload his cargo, making proper compensation for its use. Permission to build a wharf is not a matter of right; it rests within the discretion of the Board of Port Wardens and, on

appeal from its decision, in the Courts of Common Pleas of this County. If granted, it is not because of personal advantage to the riparian owner, but for the reason that it will be beneficial to the interest of the Port of Philadelphia. An owner of a wharf, therefore, cannot say, this is my property. If I so desire, I may fence it up and prevent its use as a wharf. He could not obtain a license for such purpose, nor would he be permitted to use it in such manner after its erection, unless the authority so to do was specifically granted by the Legislature.

Reference to the case of W. J. McCahan (not reported) will emphasize the power of the Board of Port Wardens in granting licenses to build wharves into the Delaware, irrespective of the interests of the riparian owner.

“W. J. McCahan owned one hundred and twenty-six feet four and three-fourths inches of river front, from which he proposes erecting a wharf forty-six feet four and three-fourths inches in width, leaving on each side forty feet dock room. On the south side of this property Messrs. Baugh & Son have one hundred and thirty feet four and three-quarters inches unimproved water frontage, extending southwardly to a wharf now erected and owned by them, giving between the south side of McCahan’s proposed pier and the north side of Baugh’s present wharf one hundred and seventy feet four and three-fourths inches water way, not sufficient room to build another wharf with the lawful dock room, after leaving the necessary forty feet of dock to the north of their before-mentioned wharf. On the north of the McCahan property is the Wharton and Wadsworth estate, one hundred and twenty-three feet two inches, giving a water surface from the north side of the McCahan wharf to the south side of the licensed pier of ‘Hollingsworth estate’ of one hundred and ninety-four feet ten and one-half inches, which, after deducting one hundred and sixty feet for two docks, will only allow room for a wharf of about thirty-four feet in width—‘too narrow to afford such shipping facilities as would characterize it as an improvement and warrant its extension.’ Altering the *location of the McCahan’s pier, by moving it fifteen feet to the south and placing it to within twenty feet of his south line*, the ‘Wharton and Wadsworth’ property on the north line could be utilized and a pier, say of about 49 feet be extended from same, and the proposed wharf of McCahan be built, say

fifty feet wide, making a much greater improvement, viewing it from a commercial standpoint."

It will be seen that McCahan's wharf, for which license was granted, had but twenty feet of dock room on the south, and that being insufficient to accomodate vessels of the ordinary breadth of beam, he was liable, under the Acts of 1861 and 1868, to dockage to the adjoining riparian owner on the south. An appeal was taken to Court of Common Pleas, No. 1, and the decision of the Board was confirmed.

It will also be seen that by Act of 25th March, 1805, the City was granted the same rights, etc., and subject to the same duties respecting streets extending to or into the river Schuylkill, and this it would appear irrespective of the fact whether or not the City was the owner of the fee in the streets so extending to or into the said river. As before stated, the Commonwealth is the owner of the bed of the river and therefore has the right to say who may, or who may not, extend wharves or piers upon its property. It cannot, however, authorize the erection of a wharf or other structure, that will deprive or otherwise interfere with the riparian owner having free access to and from his property. This Act (1805) applies, however, only to the river Schuylkill, and probably only to that portion of the City that was embraced within its limits at the date of its enactment.

Subsequent legislation, however, failed to give the City any such right as to the building of wharves or piers in the section not embraced within the limits of the old City proper. In fact, that right seems to have been denied the City by the Act of 5th April, 1868, Sec. 1, P. L. 755, wherein it is stated: "That the riparian owner or proprietor of any land in the City of Philadelphia, heretofore or hereafter appropriated or dedicated to public use . . . for the purpose of any street, avenue or highway under or by virtue of any existing law, his or their heirs, successors or assigns, shall be deemed and regarded an owner of land inside of high water mark' within the meaning of this section, notwithstanding such appropriation or dedication."

In the case of Cramp's Appeal (36 L. I., 284) the City obtained a license from the Port Wardens for extending Palmer street out into the river to the Warden's line. In its decision the Court says: "This (referring to the above quoted section of the Act of 1868) gives rise to the question: 'is the

“ ‘ City of Philadelphia such a riparian owner as warrants the  
 “ ‘ granting of a license to municipality to build or extend a  
 “ ‘ wharf at Palmer street.’ It does not seem to be a disputed  
 “ fact that the deed of Cramp’s for the property on the one  
 “ side of Palmer street, and of Neafie on the other, show that  
 “ they are the owners and occupiers of the land, fronting on  
 “ the street at this point, and they are, therefore, the owners  
 “ of the fee in the soil to the middle of the street, fronting  
 “ their respective properties. If Palmer street should be  
 “ vacated, they would be entitled to resume possession of the  
 “ land, the use of which is now in the public for the purpose  
 “ of a highway. . . . Those who were the riparian owners of  
 “ the land taken or given for a street, shall still be regarded  
 “ as the owner of the land inside of low water mark. . . .  
 “ We think the City must, as the case stands, fail in the effort  
 “ to extend Palmer street, for want of title. It is not and  
 “ never has been a riparian owner or proprietor of land at  
 “ Palmer street.”

It will be seen from the above, that in order to give the City a right to extend a wharf or pier into the river, it must be a riparian owner, *i. e.* an owner in fee along the line of the river. The City’s title to its streets or highways leading to the river, does not make it such riparian owner, because, as to them, the City is merely a care-taker or supervisor, the title thereto being in the owners of the land adjoining.

The City has the authority to sell its wharf properties, as it can do of other property not held in trust. Act May 20, 1891, P. L. 65. It cannot sell its wharves, therefore, between Vine and South streets, on the river Delaware, for, as stated above, they were granted to the City by the charter of 1701, in trust for the use and service of the City and people, to be so continued forever. The Act, 21 April, 1855, Sec. 22, (P. L. 269) provides that: “ It shall be lawful for the City of Philadelphia, as rapidly as purchasers can be procured, without a sacrifice of price, to make public sale and conveyance of the public halls, lots and real estate vested in the said city, *not held in any trust*, and not required for authorized public purposes, and to apply the proceeds to the discharge of city debts;” and by Ordinance of 29th January, 1855, Sec. 1 (Ordinances of Councils p. 32) it is provided that: “ The real estate belonging to the City of Philadelphia, which the said corporation are authorized or may be authorized to sell, without being required to appro-

appropriate the proceeds specifically by the power allowing such sale: all stock in railroad, canal, plank road, or other corporation, and all mortgages owned by the same; and all moneys which belong or were owing to the sinking funds of any of the corporations, which by the Act of Assembly, approved February second, one thousand eight hundred and fifty-four, were consolidated into the corporation of the City of Philadelphia, be and they are hereby pledged for the payment of the funded debt of the said corporation;” and by Section 2, of the said ordinance, it is provided that: “Whenever any of the above-described property shall be sold, or the principal sum of any ground rent or mortgage paid off, the proceeds shall be and are hereby appropriated to a sinking fund, or to the payment of the funded debt of the said corporation; the income from the investments in the stocks in railroad and other corporations shall not, by force of this ordinance, be applied to said fund, but form a part of the income of the corporation applicable to the general expenses thereof.”

(The Sinking Fund, to which reference is made in Ordinance of 29 January, 1855, was that established for the payment of the consolidated debt of the City of Philadelphia. As that debt was fully paid on July 1st, 1893, the directions of the Ordinance do not apply to any further sales that may be made of city property.)

Likewise may the City lease its wharves, having due regard, however, for the rights of the public, in and to those forming the continuation of a public street or highway, particularly in the section on the Delaware river, between Vine and South streets. In *Struthers et al. vs. Bickley* (9 Phila., 539) the defendant, Bickley, was the lessee of Walnut street wharf, Schuylkill river, and used it for storing street dirt thereon, thereby preventing the plaintiffs, owners and lessees of adjoining wharves, from having free access thereto. In that case, Finletter, Judge, said, after quoting the portion of the Charter of 1701, and sixth section of the Act of 1805: “The corporation became thereby the mere custodians of these portions of our streets, for the free use thereof of the public. *It could do nothing with them which would in anywise interfere with the rights of the public*: and as a necessary consequence could not confer upon any one a right to their exclusive use. If it has the right to lease them for any purpose, which is not apparent, certainly it must be exercised in such a manner as not to interfere with the free enjoyment



of the public rights. . . . . The plans of the City, dated 1817, 1832, 1851 and 1868, approved by Councils and recorded in the Survey Department, represent the streets as extending to the river Schuylkill, and to the ends of the wharves as carried out. . . . . If the City have the right to make the lease, the lessee has no right to use the premises for any other purpose other than indicated by the thing leased. . . . . If a wharf or landing, or street, be let as such, the lessee cannot destroy their nature and character by converting them into dwelling houses or store-houses, or places of storage alone. . . . . The conclusions to which I have come are, that the defendant, Bickley, is obstructing a public highway, a public wharf, and a public landing, to and over which the community have the right of free and unrestricted access; that he has shown no right to do so, and is maintaining a nuisance."

It will be noted that defendant in case above was adjudged to have maintained a nuisance. While he had no right to do so, I am of opinion that the City had the authority to lease the wharf, and that he could use it in such reasonable manner as not to interfere with the rights of the general public in and upon it as a highway.

The water or dock (basin between the piers or wharves) left for the use of any wharf, shall remain vested in the Commonwealth, subject to existing laws; but the owner of such wharf shall be entitled to charge and receive compensation for the use of the same, and to enjoy all the rights and privileges in connection therewith, to which he is now by law entitled. By Act 8th April, 1868 (Sec. 2, P. L. 755) wharf owners have concurrent rights in the dock, and to deprive one of the lawful use of the dock and wharf, that another may have more room for the storage of cargo, seems to be so inequitable, if not illegal, that it cannot be justified. *Bailey's Appeal*, 9 Phila., 506. In every case in which a vessel moored to a wharf or pier has a width of beam greater than the breadth of the dock belonging thereto, the liability to pay a portion of the wharfage or dockage, is the right of the riparian owner whose waters or dock is thus used. Usually this is apportioned by agreement. *Act*, 8th April, 1851, P. L. 354; *Act* 8th April, 1868, Sec. 2, P. L. 755, and see *Simpson vs. Neill*, 89 P. S. 183.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 3, 1894.*

ABRAHAM M. BEITLER, ESQ.,  
 Director of Public Safety.

DEAR SIR:—Your favor of the 19th ult., in reference to the granting of a permit to the Citizens' Passenger Railway Company and the Electric Traction Company to erect poles and wires upon Tenth and Twelfth streets south from Snyder avenue to Jackson, and on Jackson street from Tenth to Twelfth, received. You state that the ordinance of March 30, 1893, grants permission "to use electrical motors as the propelling power of its cars on its tracks as the same are now authorized to be laid," and then recites certain streets, but does not mention any street south of Snyder avenue.

You desire to know whether you would be authorized to issue the permit for poles and wires south of Snyder avenue on Tenth and Twelfth streets, and on Jackson street.

If the said companies were authorized at the time of the passage of the Ordinance of March 30th, 1893, to lay tracks on those streets, then you are authorized by that ordinance to issue to them a permit for poles and wires.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 3, 1894.*

*In re Test of 20,000,000 gallon Pumping Engine, Spring Garden Station.*

JAMES H. WINDRIM, ESQ.,  
 Director of Public Works.

DEAR SIR:—Your favor of the 30th ult., received. In your communication of the 11th ult., in reference to the same matter, you request me to advise you whether an agreement should be made as suggested by Mr. Worthington, and if so,

in what form and how it shall be obtained; and also whether you should write Mr. Worthington that the experts had been requested to report whether the engine is ready to be tested. Accompanying your communication is a copy of a letter from Henry R. Worthington, signed by Theo. F. Miller, Secretary and Treasurer, in which it is stated that the engine is ready for the test, and in which he requests the signing of some paper to make binding upon the City the understanding and agreement between you and him therein referred to.

As I wrote you on January 2, 1894, if it be impossible to perform the test in the manner originally intended, then you would be justified in adopting the suggestion of the experts appointed under the agreement. And as the City would be responsible for any damage caused simply by the breaking of the main not produced through any fault of Mr. Worthington or his pumping engine, you would not be authorized to assume any liability for the City. Any agreement which you would make could not bind the City or make it responsible beyond its liability. I would advise you to have the experts determine whether the engine of Mr. Worthington is ready for the test, and if so, permit the experts to make the test in such manner as will practicably conform to the provisions of the contract, and in such a manner as the experts determine.

Yours very truly,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, February 6, 1894.*

*In re License to Hawkers and Venders.*

A. S. EISENHOWER, ESQ.,

Chief, Bureau of City Property.

DEAR SIR:—Your communication of January 6, 1894, was duly received. In it you say: “The Act of Assembly, approved April 15, 1891, to regulate and restrain the hawking and vending of fish and vegetables in the cities of the first class of this Commonwealth, exempts the citizens of this

Commonwealth selling the produce of their farms. Will you please inform me at your earliest convenience what effect this will have on the citizens of adjoining States selling the produce of their farms, whether they are entitled to Farmers' certificates, the same as we have given them heretofore."

To give effect to the Act, 15th April, 1891 (P. L. 17), the City Councils passed the Ordinance of April 11, 1893. Section 5 of said Ordinance provides :

That all farmers vending the produce of their own farms shall, on appearing before the Commissioner of Markets and City Property, and satisfying him under oath or affirmation that they are farmers selling the produce of their own farms only, be entitled to receive a license without charge therefor, providing they are residents of the State of Pennsylvania. All non-residents of this State shall be liable to Section 4."

The latter Section provides : "That upon application being made to the Commissioner of City Property, he is hereby authorized upon payment to him, for the use of the City of Philadelphia, of the sum of fifteen dollars for each wagon or other vehicle drawn by two horses or other animals, or ten dollars for each wagon or other vehicle drawn by one horse or other animal, or five dollars for each barrow or handcart, to grant a license to said applicant for the purpose of hawking or vending within the corporate limits of the City of Philadelphia any fish, fruit, vegetables, produce, wares or merchandise."

I am of the opinion that the City by virtue of its police power has authority to require farmers being non-residents of the State to take out a license, as provided by the Act of 1891, and to exact the payment of the fee therefor as prescribed by the above mentioned Ordinance of Councils.

A distinction must be drawn between a case like the one under consideration, where a reasonable fee has been imposed upon a non-resident, and a case where such persons are forbidden to pursue the business of peddling, or an exorbitant fee is imposed that practically amounts to prohibition. The latter cases would be a positive discrimination against the person of a non-resident, and therefore illegal.

To hold that the City has the right to impose a fee upon non-residents appears upon first view to be in conflict with the recent opinions of the Supreme Court, notably in *Sayre Borough vs. Phillips*, 148 P. S., 482.

In the latter case the borough passed an ordinance prohibiting all persons engaged in the business of peddling without a borough license, and fixed the price of the license at a figure (\$780 a year), evidently intended to be prohibitive. By a proviso all residents of the borough of Sayre were exempt from its provisions. In other words, it practically provided for the issuing of licenses to the residents of the borough in exclusion to all others. It was held in that case a law (or ordinance) that should prohibit all persons peddling goods manufactured or produced in other States, and permit the same persons to peddle goods of the same character manufactured or produced in this State, would be a trade regulation discriminating between the productions of this and other States, and would be incapable of enforcement, because in violation of the Constitution of the United States. So a law that should forbid the Court to grant a peddler's license to any person resident in any other State, would be bad for the same reason.

As the Ordinance 11th April, 1893, does not prohibit a non-resident farmer from disposing of the products of his farm, nor forbid the granting of a license to such non-resident farmer, but merely imposes a reasonable fee for the privilege, it is a proper and valid exercise of the police power of the municipality, and its provisions should be enforced until such time, at least, as the Supreme Court shall say in terms that the fee imposed is an unreasonable exercise of that power.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, February 16, 1894.*

JOHN W. FRAZIER, ESQ.,

Registrar, Bureau of Surveys.

DEAR SIR:—Replying to your favor of January 5, 1894, wherein you stated that by deed of December 27, 1888, Boyd Adams and Hannah, his wife, conveyed to James McElhatton the premises situate on the south side of South street, 407

feet 7 inches west of Twentieth street, in the Thirtieth Ward, containing in front 16 feet and extending in depth 70 feet to a 5 foot wide alley, which said premises on the same day, the said McElhatton conveyed to Hannah Adams, her heirs and assigns; and that on the 12th day of December, 1892, the said Hannah Adams was divorced from her husband, and that she has since resumed her former name of Arnold, and inquiring whether under such circumstances you would be justified in registering Mrs. Arnold as the registered owner of the premises in question, without an intervening or intermediary deed to her as Mrs. Arnold. I would state that I know of no Act of Assembly which would give you authority to make the change of registration suggested, unless except in accordance with a deed of conveyance.

Yours very truly,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, February 16, 1894.*

JOHN W. FRAZIER, ESQ.,

Registrar, Bureau of Surveys.

DEAR SIR:—Replying to your favor of Nov. 14, '93, a reply to which has been delayed by exceeding pressure of other work, inquiring whether or not you would be justified in changing the existing practice regulating the registry of deeds in your Bureau by affixing the Registrar's stamp *after* the premises conveyed have been duly plotted, instead of affixing the stamp before the plotting has been made, and inquiring whether or not such action on your part would be justified by the Acts of Assembly, I would state, that by the Act of Assembly applicable in such case, purchasers, devisees by will, distributees in partition, are required to present their deeds or title papers to the Registry Bureau so that they may be properly endorsed, and no discretion would seem to be vested in the Registrar to determine whether or not any con-

veyance or transfer has been regularly made, his duty being merely to register the conveyance or transfer as set forth in the deeds or title papers submitted to him.

Yours very truly,

CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, February 19, 1894.*

A. S. EISENHOWER, ESQ.,  
Chief, Bureau of City Property.

DEAR SIR:—Your letter of January 15, 1894, was duly received. In it you say: “Will you kindly advise me at your earliest convenience whether or not the ordinances of March 1, 1855, and December 29, 1858, in regard to wharves, are still in force; and if so, whether or not the ordinances passed subsequently thereto by Councils, directing the lease of wharves for a longer term than three years without putting them up at public auction and not containing a repealing clause, are valid? That is to say, are those ordinances first mentioned repealed by implication by the latter ordinance?”

The ordinance of December 29, 1858 (p. 506) provides as follows:

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That from and after the passage of this ordinance all leases for the renting of public wharves and landings shall be exposed to public sale, and sold by public vendue or outcry, to the highest and best bidder, at such place and time as the Committee on Port Wardens, Public Wharves and Landings may designate, and if no bid is made at such public sale, the Commissioner of Market Houses is hereby empowered to lease said wharves under the supervision of the Committee on Port Wardens, Public Wharves and Landings.

SECT. 2. That the said leases shall be for a period of not less than one year, nor more than three years, as the Committee on Port Wardens, Public Wharves and Landings may direct, and that the rental per annum, at which they may be sold or leased, shall not be less than the rent paid under the leases existing at the time of the passage of this ordinance.

This ordinance has not been repealed, either directly or by implication, by any subsequent ordinance, and therefore leases of wharf property belonging to the City and made in pursuance thereof should conform to the requirements of said ordinance. The Councils have, however, from time to time, passed ordinances authorizing the leasing of a particular wharf or wharves to certain persons or corporations for a longer period of time than three years and without exposing said leases to sale by public vendue or outcry, as provided by the ordinance of 1858. While the provisions of the latter ordinance are binding upon you as the officer of the City having authority to make leases of City wharves by virtue thereof, they are in nowise binding upon the City Councils; the latter can repeal or annul its provisions, or modify the application thereof to suit their own pleasure so long as it does not conflict with an Act of Assembly, and, as there has been no such conflict in the matter in question, Councils have acted within its authority.

Nor does the mere fact that Councils have passed ordinances authorizing the leasing of wharves free from the conditions imposed by the ordinances of 1855 and 1858 repeal or invalidate the latter ordinances, except as to the particular lease or leases executed by virtue of said ordinances made subsequent to that of 1858.

I am of the opinion, therefore, (1) that the ordinances of March 1, 1855, and December 29, 1858, are still in force, except in so far as the former is modified by the latter ordinance; and (2) that the ordinances passed subsequent to the ordinance of 1858, directing the lease of wharves for a longer term than three years without putting them up at public auction, are valid.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*



## LAW DEPARTMENT.

*Philadelphia, February 21, 1894.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Works.

DEAR SIR:—Your letter of the 19th instant was duly received. In it you say: “The Academy of Music has strung a sign for the Black Crook along the entire front of their awning. The strip extends to within eight feet of the pavement. I think it extends from one end of the awning to the other. While the ordinance permits advertisements upon the side wings of awnings, it seems to me that this is not a side wing, though in point of fact there are other places in Philadelphia where people use the front or street side of their awning for advertising purposes. Will you kindly advise me whether this is permissible?”

The Ordinance of Councils of 23d September, 1864, (Ordinances, 1864, page 343,) defines the following to be nuisances:

“SECTION 3. To place, keep or maintain any awning which shall not extend to the line of the curb stone.” \* \* \*

“SECT. 5. To place or maintain any awning, within seven feet six inches from the footway, or below the level of any public light, from sunset to sunrise.”

The sections above quoted are the only ones in said ordinance which refer specifically to the matter in question, and as you will see, there is nothing contained therein which prohibits the use made of the awning in front of the Academy of Music.

Section 10, however, of said ordinance provides as follows: (It shall be a nuisance) “To extend or project from any dwelling or building, except inns, any sign-board, pole, or other device or thing, to denote or show the place of business, or the merchandise or things which the occupant thereof has to dispose of, into or over any of the footways of any street of the City, below the top of the first story, or to a greater extent than four feet three inches on any of the other parts of such building.”

This section was evidently construed to prohibit the placing of signs upon awnings, for by Ordinance of Councils of 23d June, 1873 (Ordinances, 1873, p. 333) it was provided: “That so much of the fifteenth (tenth) section of the ordi-

nance relating to nuisances, approved September 23, 1864, as prohibits the using of the side wings or front curtains to awnings as signs, be, and the same is hereby repealed."

The reference to Section 15 of the Ordinance of 1864 was evidently an error, as the latter section provides as follows: "To suffer any horse, mare, or gelding, to stand in any street or footway while being shod," and as there are but three sections relating to awnings in said ordinance, it follows that it referred to one of the three,—being sections 3, 5 and 10 above cited.

The Ordinance of 24th December, 1864, Section 2, (Ordinances, 1864, p. 505) declared it to be a nuisance: "To extend or project from any dwelling or building any sign board, pole, or other device or thing to denote or show the place of business, or the merchandise or things which the occupant thereof has to dispose of, into any of the streets of the said city of the width of 50 feet or upwards, more than 4 feet 3 inches from the line of the street and level of the pavement to the height of 4 feet 6 inches, and from that point to the top of the first story more than 4 feet 3 inches to any other part of said building."

Section 2 of the Ordinance of 1864, just cited, was repealed by the Ordinance of 20th July, 1875, (Ordinances, 1875, p. 204), and it further provided that signs suspended across the footways from wings shall be properly fastened, and not less than eight feet from the sidewalk in height, etc.

The Ordinance of 1873 gave the right by implication at least to use "the side wings or front curtains to awnings as signs," and there has been no ordinance since the latter date taking away the right. The Ordinance of 1875 above referred to, merely provides "that signs suspended across footways from awnings shall be properly fastened, and not less than eight feet from the sidewalk in height," etc., but this certainly cannot be so construed as to take away the right to use the "front curtain" of the awning for the purpose of placing signs thereon.

I am of the opinion that the use being made of the awning in front of the Academy of Music, as stated by you, is not forbidden by an Ordinance of Councils, and is therefore a proper exercise of the right of the owners of the building.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 23, 1894.*

*In re Liability of Property Owner to Repave McClellan Street, corner of Gerhard Street.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Your favor of the 9th instant in reference to a claim against the lot at the northeast corner of McClellan street and Gerhard street for the paving of McClellan street received. As you state, and as appears by the plan, the lot bounding upon McClellan street is one foot in depth, and is registered in the name of John J. Cassidy; that the adjoining lot, registered in the name of John A. Bickel, is 14 feet in front on Gerhard street. You further state that the said 15 feet of ground, that is, the 14 feet registered as Bickel and the one foot registered as Cassidy, is occupied by a house covering the entire 15 feet. You desire to know who is legally responsible for the street paving on McClellan street.

The property fronting upon the street only is liable for the paving, and as that appears to be a lot one foot in depth, the condition of the Survey Books would indicate that the lien must be filed against that lot only. But as it appears from the structure erected that the one foot and the fourteen feet are used as if one lot and one owner, I would advise you that the lien be filed against the 15 feet, naming John A. Bickel and John J. Cassidy as the registered owners. The one foot having a portion of the building upon it, would be sufficient security for the lien, as the owner of the building would lose more by allowing the one foot to be taken off his building and then having to erect a new wall than the amount of the paving claim. However, it is advisable to file the lien against the 15 feet, as if only the one foot can be charged, the releasing of the 14 feet would leave us in just the same position as if we filed the lien against the one foot.

Yours respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 23, 1894.*

*In re Liability of Property Owners to pay for the repaving  
of Lancaster Avenue.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR :—Your communication of the 21st instant, in reference to the paving of Lancaster avenue, from Fifty-second to Fifty-fourth streets, received, as also the communication from Thomas G. Hunter to you of the 20th instant, enclosing copies of various Acts of Assembly. You desire me to advise you from the Acts and the decisions of the Court on the matter of Macadam being considered the original paving, and whether the bill of the contractor for the paving of Lancaster avenue would be a valid lien against the property abutting thereon.

There is not sufficient data given me to determine that question. The Supreme Court in a number of cases recently, among others Philadelphia, to use, *vs. Ehret*, 153, Pa. St., page 1; *City of Harrisburg vs. Segelbaum*, 151 Pa., St., page 172, and *Boyer vs. Reading City*, 151 Pa., St., page 185, have determined that a Macadam pavement authorized to be laid by municipal authority is an original pavement which would relieve the property from liability to pay for the repaving of the street.

You do not state whether Lancaster avenue had previously been paved by the authority of the City, or whether any previous paving had been paid for by the property owners, or whether it was merely the turnpike road. If Lancaster avenue has ever been previously paved by proper municipal authority, then the property abutting thereon is not liable for a new paving or a second paving covering the space previously paved by authority.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 24, 1894.*

GEORGE S. GRAHAM, ESQ.,

Solicitor for Belt Line R. R. Co.

MY DEAR SIR:—In answer to your letter of the 25th ultimo, in which you ask the question whether or not the passage of the Ordinance of June 6, 1893, releases the Belt Line Railroad from the obligation of an agreement entered into with the City pursuant to the requirements of Ordinance passed December 26, 1890, relative to completion of road, etc., without a new agreement, or is it necessary to have a new agreement with the City, I have looked into the matter, and I am of opinion that a new agreement is not required.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, February 27, 1894.*

HON. EDWIN S. STUART,

Mayor of Philadelphia.

DEAR SIR:—I am in receipt of your communication of the 17th inst., in which you state that Reuben Cohen, duly licensed pawnbroker, has sustained a loss by fire, and the insurance company is now prepared to make settlement for the loss as adjusted, and that the policy of insurance provides, "that the loss, if any, shall be payable to the Mayor of Philadelphia," but that owing to the destruction of the tickets on the articles pawned it is impossible to determine who are the owners of the goods until the pawn tickets issued thereon are presented, either for renewal or in making settlement for a loan. You further desire my opinion as to whether you would be justified in accepting a Bond of Indemnity from Mr. Cohen to protect the City from any loss that may arise by reason of

the claims of parties whose goods were injured or destroyed, the money from the insurance company to be then paid to Mr. Cohen for disbursement as the claimants present themselves, or whether you are compelled to settle with each individual claimant in person.

In answer I would say that Section 2 of the Ordinance of January 19, 1856, provides, *inter alia*, "that every pawnbroker applying for a license shall first effect insurance against fire for five thousand dollars on goods pawned, the policy for which shall be deposited with his bond before said license is given to him." It appears that this requirement of the Ordinance has been complied with. I am therefore of the opinion that under the circumstances in this particular case, that you would be justified in accepting from Mr. Cohen a Bond of Indemnity in the sum of five thousand dollars, with sufficient freehold surety to be approved by you to protect the City from loss by reason of the claims of persons whose goods may have been injured or destroyed, and for the proper disbursement of the fund paid by the insurance company.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 2, 1894.*

*Liability of Property owners to pay for paving Lancaster Avenue.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 27th ult., in relation to the paving of Lancaster avenue from Fifty-second to Fifty-fourth streets, received. You state that Lancaster avenue had not previously been paved between those points by any City legislation; that there is no record of any previous paving having been paid by property owners, and that it was a turnpike road. You desire me to advise you whether the property owners will be liable for the cost of paving Lancaster avenue between Fifty-second and Fifty-fourth streets.

In reply thereto, I would state that if Lancaster avenue between Fifty-second and Fifty-fourth streets has never been paved or macadamized by municipal authority previously to the pavement now being laid, then the property would be liable for the cost of this paving. If, however, there has been a stoning or macadam by direction of the Councils of the City, whether the same has been paid for by the property owners or out of the City Treasury, such a paving would be considered a first pavement, and the property would not be liable for a new or second pavement.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 5, 1894.*

JOHN ECKSTEIN, Esq.,

Clerk of Common Council,

DEAR SIR:—In response to a resolution requesting my opinion “relative to the right of the City to lay gas mains and pipes in the territory covered by the Northern Liberties Gas Company,” I have to say as follows:

The Northern Liberties Gas Company became a private corporation under the Act of April 13, 1894 (P. L. 264). This Act gave the company no monopoly. Nothing contained in the Act prohibited the extension of the City’s works into that district. The Act of 29th April, 1884 (P. L. 93), provided that private companies accepting its provisions should be privileged from competition by other corporations. I am not aware whether the Northern Liberties Company have accepted the provisions of this Act. For the purpose of the question you put, however, the point is immaterial, for it is well settled that the monopoly given under the Act of 1874, to which I have referred, does not apply to municipal corporations who may undertake to furnish gas to their inhabitants. See Lehigh Water Co.’s Appeal, 102 Pa., 515.

I am therefore of opinion that the City has power and the right to extend and lay gas mains and pipes, and supply gas to consumers through the district now supplied by the Northern Liberties Gas Company.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 6, 1894.*

ABRAHAM M. BEITLER, ESQ.,  
Director of Public Safety.

DEAR SIR:—In answer to your communication of the 2<sup>d</sup> ult., stating that Messrs. Stewart, Ralph & Co., owners of building No. 917 Arch street, have applied to the Bureau of Building Inspectors for a permit to make alterations in the front of their building, and asking my opinion whether under the circumstances the building will have to recede in order to make Arch street 72 feet wide, I would say:—By ordinance of twelfth of February, A. D. 1886, relative to the width of Arch street, Councils provided as follows:

“An Ordinance relative to the widening of Arch street.”

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Surveys be, and is hereby directed to widen Arch street, on the north and south lines thereof, from Eighth street to the River Schuylkill, on the City plan, so that hereafter the width of Arch street shall be seventy-two (72) feet from the building line to building line, or thirty-six (36) feet from the now established centre line of said Arch street: *Provided*, That this ordinance shall not extend to any buildings now erected on said Arch street, and shall extend to all buildings that may hereafter be erected or altered, fronting on said street, and that the Department of Surveys shall prepare a plan of said street showing all buildings that will be affected by said widening.

Approved the twelfth day of February, A. D. 1886.”



This ordinance provides that its provisions "shall extend to all buildings that may hereafter be erected or altered fronting on said street." From your letter I gather that Stewart, Ralph & Company intend cutting out the pier between two windows on the first floor, and setting in a flat bulk extending from the west side of the present west window to the east side of the present east window. In other words, changing it from a dwelling-house into a store by cutting away part of the front wall and substituting a bulk window. Whether this can be done without receding depends upon the construction given to the word "altered" in the ordinance. The alteration must be a substantial one. To cut away the front wall or pier is certainly a substantial alteration.

I said, in relation to No. 1602 Chestnut street, on January 16, 1894: "If the brick work separating the two windows were taken out for the purpose of changing the building from a dwelling-house into a store, I think it would be clearly within the terms of and prohibited by the ordinance. As this is precisely what Messrs. Stewart, Ralph & Co., propose to do here, I am of opinion that the building must be made to recede in order to make Arch street seventy-two feet wide, from building line to building line.

Yours respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 13, 1894.*

*Abolishment of Grade Crossings, North Penn Junction.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Your favor of the 28th ult. received. You inquire whether your Department has authority to direct the contractor for the abolishment of grade crossings at the North Penn Junction to proceed with the work, and is it necessary that the security on this contract shall be approved by ordinance before the contractor can go on with the work?

We do not consider that it is necessary to approve the security on this contract, as the ordinance under which the work is done authorized you to enter into an agreement with the Railroad Company. There is no further action for your Department to take in the matter, and the contractor can be permitted to proceed with the work.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 14, 1894.*

*Satisfaction of Judgment against Security of Michael Sammon.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—Your favor of the 3d inst. in relation to the release of a bond, entered up by Michael Sammon, for the construction of sewers in Spruce and Pine streets, from Twenty-third street to the Schuylkill river, received. You state that “it appears from the statement of the case that it is not reasonable for the City of Philadelphia to claim the difference in cost for the construction of these sewers, between the second proposal and the one for which Contractor Sammon has defaulted, as the difference in price from competitive bidding shows that his bid was entirely too low to enable him to perform the work.

You desire to release the surety of the contractor upon the payment of \$500, and you desire me to inform you whether it would be discretionary with your Department to excuse contractor Sammon from paying the difference in the amount under his contract and the amount the City was required to pay to have the work completed.

In my opinion you have no discretion in the matter, and since the contract was awarded to Mr. Sammon, and he has defaulted, it is your duty to simply enforce the terms of the

contract. This case is one that appeals to Councils only, and, unless authorized by them, you would not be justified in releasing the contractor. If the contractor made a mistake, and you are satisfied of that, then he should not be required even to pay the amount of the proposal bond. You could have rescinded the contract upon the ground of mistake, or refused to have awarded it to him, but he having entered into the contract and given the security for its performance, there is nothing for you to do but to see that the terms of the contract are complied with.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, March 20, 1984.*

*In re Removal of Bodies from Odd Fellows' Cemetery,  
Twenty-fifth street, between Norris and Diamond streets.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 19th inst. received.

It is true, as stated, that the Charter of the Odd Fellows Cemetery Company provided that no street shall be opened through the cemetery, and this question was raised by the Cemetery Company upon application for an injunction to restrain us from opening streets. The Court decided that the Act of 1881 repealed the exemption in the charter of said company, and refused the injunction. You have, therefore, the authority of the court to proceed to open this street.

It may not be necessary, however, in order to open the street, that the bodies should be removed, but when you come to construct sewers and lay gas and water-pipe, then something will have to be done with reference to the bodies buried in the bed of the street.

It is unfortunate that there should be any difficulty about this matter, and I had supposed that the Cemetery Company

would do as other Cemetery Companies had done, namely, remove the bodies and bury them in some other portion of their grounds.

Since the Cemetery Company refuses to do anything in the matter, you have the right to do what is necessary for the opening of the street and the construction of the sewers and laying of water and gas-pipe, etc. I cannot tell you where or in what place you have the right to inter the bodies, as your only guide in such a matter would be your own judgment and the availability or desirability of the places offered to you. There may be lots in the cemetery in which the bodies could be buried; if not, some suitable place for the purpose should be selected.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, March 27, 1894.*

*In re Vacancy in School Board—Third Section.*

DAVID J. HOLLERAN, ESQ.,  
No. 809 South Eighth St.

DEAR SIR:—In reply to your communication of January 24, 1894, in which you ask: "When there is a vacancy by resignation from a School Board has the Board power to fill such vacancy for the unexpired term?" I would state that I am of the opinion that under the Act of May 5, 1887 (P. L. 87), the Board has such right.

The Act in question reads as follows: "Vacancy in any Board of School Directors in cities of the first class shall be filled by the remaining members of such Board, who shall choose a duly qualified person to fill the vacancy for the remainder of the unexpired term of the person whose death, resignation, removal or neglect of duty under existing laws caused such vacancy."

Yours respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, March 27, 1894**In re Orchard Street.*

ABRAHAM M. BEITLER, ESQ.,  
 Director of Public Safety.

DEAR SIR:—I note your favor of the 22d inst., wherein you state that application has been made by Francis I. Roepke, on behalf of the owner of premises No. 951 north Fifth street, which run through to the line of Orchard street, for a permit to erect two dwellings on the rear end of the lot, and inquiring whether or not, as Orchard street is not upon the City plan and is not opened at this point, the Building Inspectors should issue the permit as requested, and referring me to a letter from Mr. Wayland to the Board of Building Inspectors of March 29, 1889.

In reply to your communication I would state that the letter from Mr. Wayland of the date indicated, advising the Building Inspectors that a permit might be issued to Mr. Clay to build upon Orchard street, was based entirely upon the Ordinance of Councils of March 29, 1889, directing that Orchard street should be placed upon the City plan between George and Culvert streets, and has no bearing upon the question raised by your communication. Mr. Wayland's opinion did not contemplate the granting of a permit until the street was actually upon the confirmed plan as provided by the ordinance, in which event, there being a proper recession from the western line of Orchard street, the houses might be erected in compliance with law. As, however, it seems from your communication that Orchard street has not been placed upon the City plan and is not open, I am of opinion that no permit should be issued for the dwellings referred to.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, March 30, 1894.*

DAVID HOLLERAN, ESQ.,

Sect'y, Board of Directors, Third School Section, 809 South Eighth St.

DEAR SIR:—I received your letter of the 28th inst., in which you ask me to inform you “if a member of the Board of Education has a right to vote in two Boards,” Sectional as well as that of School Control.

The Act of April 5, 1867, Section 4, P. L., 780 provides, *inter alia*: “The Controller appointed from each Ward shall, during his term of office by virtue of said appointment, be a member of the Board of School Directors from the Ward from which he is Controller, and be entitled to all the privileges of membership.”

The Act of June 1st, 1885, known as the “Bullitt Bill”, provides in Art. IX, Sec. 1, “The Department of Education shall continue as now established by law.”

I am of opinion, therefore, that a member of the Board of Education has a right to vote in the Sectional as well as in the Board of School Control.

Yours very respectfully,

CHARLES F. WARWICK,

*City Solicitor*

## LAW DEPARTMENT.

*Philadelphia, April 7, 1894.*

*Notices to property owners on line of Pennsylvania avenue  
and Noble street.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of 18th ult., enclosing copy of a notice to be served on the property owners under Ordinance of March 17, 1894, received. The form of notice is, in my judgment, a proper one.

Yours respectfully,

CHARLES F. WARWICK.

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, April 7, 1894.**In re Inspection of Elevators.*

ABRAHAM M. BEITLER, ESQ.,  
 Director of Public Safety.

DEAR SIR:—Your communication of the 2d inst., in reference to an ordinance entitled “An Ordinance creating the office of Inspector of Elevators and providing for the inspection of Passenger and freight elevators in the City of Philadelphia,” received.

It appears by Section 41 of the Act of June 8, 1893, that the City has the right, by ordinance, to regulate the inspection of elevator hoistways and elevator shafts, and the ordinance, copy of which you send me, is for that purpose. Section 9 does not appear to refer to any elevators except those hereafter to be constructed. Section 4 prevents the operation of any elevator without first having obtained a certificate from the inspector of the district that the elevator is in condition to be operated as provided by the said ordinance. This applies to all elevators, whether those now constructed or hereafter to be constructed. As to Section 10, the penalty therein provided can only be recovered as any action of debt, before a Magistrate in the City of Philadelphia.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, April 7, 1894.*

THOMAS M. THOMPSON, ESQ.,  
 City Controller.

DEAR SIR:—Your communication of the 29th ult., referring to a former communication, received. In the latter you

state that there is in the contract of R. C. Ballinger & Co., for the erection of a Fire and Patrol Station House, at Front and Westmoreland streets, the following clause:

*“ Tiling.*

The floors and lavatories and the sidewalls of the lavatories, bath rooms, water closets, slop hoppers and shower baths will be laid in first quality encaustic tile, set in the best manner, *for which purpose the amount of \$1,700 is to be allowed.* The Chief of the Bureau reserves the right to select and purchase this work where he sees fit at the above price.”

The Act of May 23, 1874, Section 6, provides as follows:

“All stationery, printing, paper and fuel used in the Councils, and in other departments of the City government, and all work and materials required by the City, shall be furnished, and the printing and all other kinds of work to be done for the City, shall be performed under contract to be given to the lowest responsible bidder, under such regulations as shall be prescribed by ordinance; and it shall be the duty of Councils forthwith to enact such ordinances: no member or officer of Councils, or any department of the City governments shall be in any way interested in such contracts, directly or indirectly, either at its inception or during the progress of its fulfillment, or furnish any materials or supplies or labor for such contracts.”

This Act of Assembly requires that in the awarding of any contract, bids should be received after advertisement and awarded to the lowest responsible bidder. The provision referred to by you as entered into between the contractor and the City of Philadelphia, does not, in my judgment, conflict with that Act of Assembly. The contractor is permitted to construct all of the building but the tiling, and as to that the Director of the Department of Public Safety awards the contract to the lowest responsible bidder, not in excess of \$1,700. If the Director of Public Safety can secure the work done for a less sum, the City is the gainer thereby. There is nothing in the law to prevent the Director of Public Safety from inserting such a clause in the contract. It is his duty to award the contract for the tiling, in accordance with law, and if the contractor for the erection of the Station House is willing to make such an agreement, there is no interest of the



City affected thereby. I do not see any reason why the Director of Public Safety should not be permitted, when in his judgment it is desirable, to make a contract with a clause such as is referred to in your communication.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, April 12, 1894.*

*In re Pipe charges before granting permit.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—I am in receipt of your communication of the 5th instant, enclosing letter from the Chief of the Bureau of Water requesting my opinion as to whether it is his duty under the Ordinance of January 29, 1855, to require evidence of the payment of all pipe charges in cases where water pipes are laid in two or more streets bounding a property before granting a permit, or only as to the front where the attachment is to be made.

In reply I would say, that I am of opinion that evidence of the payment of pipe charges in front of the premises only where the attachment is to be made, is all that is required.

The ordinance throughout is in the singular number, speaking only of a receipt for the amount of assessment, and not assessments, and was not passed for the purpose of collecting money, the City already having its remedy by lien for the collection of such charges, but merely that before the right to use the water should be allowed, the cost of laying the pipe should be paid for. The expression in the ordinance "for the expense of laying the water pipe on the premises for which the permit is requested," should more properly read "for the ex-

pense of laying the water pipe in front of the premises for which the permit is requested," the pipe never being laid on the premises, but in the highway in front thereof.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, April 16, 1894.*

*In re Tracks on Walnut Street, Thirty-third to Thirty-fourth Street.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Referring to your favor of April 9th, enclosing a letter from the Chief Engineer of the Bureau of Surveys, requesting my opinion as to the authority of the Board of Surveyors to approve a plan of tracks on Walnut street, between Thirty-third and Thirty-fourth street, upon request of the West Philadelphia Passenger Railway Company, I would state that it appearing from your communication that an application was made by the said West Philadelphia Passenger Railway Company on October 3, 1883, for the laying of double tracks on Walnut street, from Thirty-third to Thirty-fourth street, which application was referred to the Committee on Railroads and by it favorably reported November 15, 1883, and that by the provisions of the Act of April 8, 1858, entitled "A supplement to an act to incorporate the West Philadelphia Passenger Railway Company," said company was authorized to extend their railroad to any part of the Twenty-fourth Ward (now the Twenty-fourth and Twenty-Twenty-seventh Wards) of the City of Philadelphia, provided they shall first present to Councils a plan and statement showing such proposed extension, consent to which application shall be deemed to have been given by Councils unless an ordinance disapproving the same is passed within sixty days after said application was made, and that the provisions of the said Act have been complied with by the West Philadel-

phia Passenger Railway Company, I would advise you that the Board of Surveyors may approve the plan of tracks as in your communication indicated.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, April 17, 1894.*

*In re Work on Girard Avenue, west of Thirty-first street.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor in reference to the trolley system on Girard avenue, west of Thirty-first street, received.

You state that “by ordinance, Councils authorized the Peoples’ Traction Company to erect a trolley line on Girard avenue, over the route now occupied by the Girard Avenue Passenger Railway Company as a horse car road, and that a general plan for the system has been approved by the Board of Highway Supervisors and a permit granted for the construction of the trolley system.” You further state that “the Mayor requests me to advise the Department whether Girard avenue, from Thirty-first street to the Park boundary, on the west side of the river Schuylkill, is a public highway, under the control of the Department of Public Works.”

In answer thereto, I would say that Girard avenue bridge was originally built by the Commissioners of the County of Philadelphia under the Act of March 27, 1852. Said Act provides that the said bridge shall belong to and be lighted, watched, superintended and kept in repair, and from time to time be altered, remodeled and renewed, if necessary, at the proper cost and charges of the County of Philadelphia, which shall also have power to make such rules and regulations for

the use of the same by the public, as may be necessary for the preservation and safety of said bridge.

Section 3 of said Act provides as follows: "That as soon after obtaining said loan as may be, the said County Commissioners shall apply to the Court of Quarter Sessions of said county, by petition, for the laying out and opening of the streets at which said bridges shall be erected until they shall connect with the corresponding streets in the district of West Philadelphia, or other districts in which said bridges are built," etc.

Section 4 of said Act provides: "That it shall and may be lawful for the said County Commissioners to occupy, build upon and alter so much of any public landing or road as shall or may be necessary for the proper construction of said bridges."

By the Act of Consolidation, the property of the county and of the various districts and townships, vested in the City of Philadelphia.

Section 8 of the Act of April 21, 1855, provided: "That it shall be lawful for the said City to construct any bridges that may be necessary to carry any street or highway at the proper grade, across any ravine or stream therein."

The Ordinance of March 24th, 1855, provided as follows:

"Section 1. The grade of Girard avenue between Twenty-ninth street and the river Schuylkill be and the same is hereby fixed and established as set forth in the plan annexed, which is made part of this Ordinance."

The record of the Court of Quarter Sessions, Minute Book 3, page 49, shows a proceeding for the opening of Girard avenue from the Schuylkill river to Forty-first street. I have not before me the data as to the opening of Girard avenue east of the Schuylkill river, but that was evidently done under the Act of 1852 for the construction of the Girard avenue bridge. The present bridge was constructed in pursuance of ordinances of October 14th, 1872; January 2d, 1873, and January 10th, 1873, by virtue of the power vested by the Acts of 1852 and 1854, above referred to.

The Act of April 14th, 1868, referred to in your letter, gave to the Commissioners power and authority to vacate any street or road within the boundaries of the Park, excepting Girard avenue, and to open, etc.

I advise you, therefore, that said avenue, from Thirty-first street to the Park boundary, on the west side of the river Schuylkill, is a public highway and under the control of the Department of Public Works.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, April 20, 1894.*

*In re Sale of Election Booths.*

A. S. EISENHOWER, ESQ.,  
 Chief, Bureau of City Property.

DEAR SIR:—In answer to your communication of the 16th inst., inquiring whether you would be justified in disposing of the election booths at private sale, at a larger price than was bid at a public sale, I would state that the only authority you have, is under the ordinance of March 28, 1894, to offer the election booths at public sale. You would not be justified in selling them at private sale.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, May 7, 1894.*

WILLIAM C. HADDOCK, ESQ.,  
 Chief of Bureau of Building Inspectors.

DEAR SIR:—I have your favor of the 21st ult., enclosing the following letter from Samuel B. Huey, Esq., with request for my opinion:

*“Philadelphia, April 20, 1894.*

*“To the Building Inspectors  
 of the City of Philadelphia.*

*“GENTLEMEN:—I represent a number of property-owners on the north side of Chestnut street, immediately east of*

Tenth street. These properties run back to a small street running east and west to the line of the Penn Mutual Building.

“The building on the northeast corner of Tenth street and this alley has been torn down, and Mr. Dooner, who owns the property to the north, has taken out a permit, No. 1049, dated April 17, 1894, for the erection of a five-story building on the lot. His contractors have shown their plans, and say that they propose to build on the old line without regard to the Act of April 21, 1855, and the ordinance of April 8, 1890, which provides that no building shall front upon any street, alley, or court, which shall be of less width than twenty feet, or without being made to recede so that such street, alley, or court, shall be of that width. This building, as shown by the plans, is to have doors of exit on this alley, and in point of fact, will have three fronts.

“I respectfully, on behalf of my clients, call your attention to the situation of affairs, and ask that compliance with the Act shall be insisted upon

“In my opinion, this case on its facts does not at all fall within the ruling of the Guarantee Trust and Safe Deposit Company case, or of the opinion of the City Solicitor given April 8, 1890.

“Kindly let me hear from you.

“Very respectfully,

“(Signed) SAMUEL B. HUEY.”

I have had the facts set forth in this letter verified by Assistant City Solicitor, Norris S. Barratt, who has examined the builders' plans, etc., and also made a personal examination of the proposed addition, and who reports that the facts are substantially correct, except that there is no door of exit on Kelly street, as stated. The original plan shows a door, as it was intended to have a boiler in cellar near Kelly street, but previous to the awarding of the contract to Goodfellow & Bateson, the location of the boiler was changed, and the opening that showed as a door will now be a window. Whether there is a door on Kelly street or not, I deem unimportant in the view I take of the question, but as Mr. Huey makes a distinct point of it, I have noticed it on that account in order to be exact.

The sixth section of an Act of Assembly approved April 22, 1855, provides that "No new dwelling-house or other building within said city (Philadelphia), shall front upon any street, alley or court, which shall be of less width than twenty feet, or without being made to recede so that such street, alley or court shall be of that width. . . .

Kelly street, which is the southern boundary of Mr. Dooner's hotel, is a small alley sixteen feet wide for ninety feet east of Tenth street; thence running seventy-six feet north to Chant street of the width of twelve feet.

The question is, must Mr. Dooner recede two feet in order to make Kelly street of the width required by the Act of 1855. Practically the same question as presented by these facts was before me on October 8, 1890, as to the Applegate permit (page 58, Ordinances, 1890), and I can only repeat what I said then: "The use of the word 'front' in the Act, seems to be conclusive as to the present case, and has thus been judicially interpreted. The purpose of the Act has been defined to be the widening of the narrower street, only when the front of the building was upon it. This was decided in the case of the Guarantee Trust and Safe Deposit Company *vs.* The City of Philadelphia, in 1873 (30 Leg. Int'r, page 240). The Guarantee building fronted on Chestnut street, but had one of its sides on Carpenter alley, fourteen feet five and a-half inches wide. It was held that the Act did not require the building to recede, because it *fronted* on a street which complied with the Act as to width. This was followed and approved by the Court in *City vs. Newman*, on March 13, 1883 (13 W. N. C., p. 11). In the case of *Ridgway vs. City*, 1 W. N. C., page 143, a warehouse to be built fronting on two streets, and having an alley in the rear, was held not within the Act, and not bound to recede in order to widen the alley."

Dooner's hotel certainly fronts on Tenth street, and while it has a side and rear on Kelly street, which might properly be spoken of as three fronts, as Mr. Huey calls them, yet as the point has been expressly decided by the Court that the word "front" means the widening of the narrower street only when the front of the building was upon it, and as the front of Dooner's hotel is not upon Kelly street, in my opinion, under the law, Mr. Dooner cannot be compelled to recede two feet, as Mr. Huey asks he should be required to do; I

therefore advise you that there is no occasion for proceedings to compel Mr. Dooner to recede, as he is merely doing that which he has a right under the law to do.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor*

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LAW DEPARTMENT.

*Philadelphia, May 7, 1894.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—I am in receipt of your communication of the 14th inst., in which you ask my opinion as to whether the Department of Public Works has a right to insist on a compliance with the notice to property owners to locate stop cock boxes in such a manner that the water supply to the building may be controlled from the pavement.

In answer I would say that the Ordinance of June 1, 1871, Sect. 2, provides: "Every person who may be supplied with water from any of the City Water Works, from a branch to be hereafter connected with a private pipe, shall have a sufficient stop cock affixed to the said branch as near as conveniently may be to the pipe aforesaid."

The Ordinance of June 18, 1883, provides that "Over every stop cock hereafter placed either within the limits of any footway there shall be left an opening of at least three inches square, which shall be walled up with brick, stone or iron and securely covered with an iron box and an iron top or covering, of a pattern to be approved by the Chief Engineer of the Department for supplying the City with water, which shall be stamped or cast with the letter "W" in such manner as that the situation of said stop cock shall be readily distinguished, which covering if placed in any public street or alley, shall be even with the surrounding pavement. The Chief Engineer of the Department for supplying the City with water, is hereby directed and authorized, as it shall appear that stop boxes have been covered with brick, to notify the owner or owners of the property on which said stop boxes



have been covered with brick, to replace said brick with an iron box and covering hereby authorized within thirty days after said notice, and if the owner or owners of any building, lot of ground, or premises into which water may have been introduced, shall neglect to comply with either of the provisions of this section . . . shall forfeit and pay for each offence the sum of five dollars, to be recovered as like penalties are now by law recoverable."

I am therefore of opinion that under the above provisions you are authorized to insist upon a compliance with the notice to construct stop cock boxes in such manner as they may be controlled from the pavement.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

—————  
 LAW DEPARTMENT.

*Philadelphia, May 17, 1894.*

*In re Opening of Twenty-fifth Street through the Odd Fellows Cemetery.*

JAMES H. WINDRIM, ESQ.,  
 Director of Public Works.

DEAR SIR:—YOUR favor of the 25th ult. in reference to the removal of bodies from the bed of Twenty-fifth street received.

You state that the Cemetery Company refuses to have anything to do with the removal of bodies from the lots to be vacated, being in the bed of Twenty-fifth street, and that the City is anxious to complete the work of opening the street and making the necessary street improvements.

Under the circumstances I would advise you to have the bodies removed at the City's expense. It will amount to the same thing as the Cemetery Company doing the work and being awarded the cost by a jury appointed to assess the damages. While there is no obligation upon the part of the City to do this work, it would not be proper for the City to desecrate the graves in making the necessary street improvements.

Mr. Batley, who is the party benefited by the opening of the street, ought to pay the cost of the removal of these bodies, as no doubt if the Cemetery Company was awarded the amount in damages by a jury, benefits at least to that extent would be assessed against the property of Mr. Batley.

Yours very truly,

CHAS. F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, May 19, 1894.*

*In re Laying of Tracks on Diamond Street West of Broad.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—I am in receipt of your letter of the 18th inst., in which you state that you have received a letter from the Diamond Street Omnibus Company, W. N. Stevenson, Secretary, asking “can tracks for the purpose of operating street car lines be laid on Diamond street west of Broad to Thirty-third street”?

You further state that you have acknowledged the receipt of the letter, and that it will receive consideration, and you want me to advise you if this is a matter upon which the Department should give an opinion.

I answer emphatically, No.

Yours very respectfully

CHAS. F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, May 21, 1894.*

HON. JAMES H. WINDRIM,

Director Department of Public Works,  
City Hall, Philadelphia.

MY DEAR SIR:—Your favor of May 11th to this Department inquiring whether or not property confirmed upon the

City plan as a Public Park by the Board of Surveyors, under authority of an ordinance of Councils, is exempt from charges from municipal improvement upon streets abutting, is received. In reply I would state that the mere plotting of a park upon the City plan does not relieve the owners thereof from liability for municipal improvements.

Yours very truly,

CHAS. F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, May 21, 1894.*

JOHN ECKSTEIN, ESQ.,

Clerk of Common Council.

DEAR SIR:—In your communication of May 14, 1894, you state that “at a meeting of the Committee on Finance held May 10th, 1894, an ordinance to enter satisfaction on the bond of James L. Brown, late Magistrate, was referred to the chairman to inquire of the City Solicitor whether it was necessary to pass the said ordinance.”

In reply, I would state that I am of opinion that it is not necessary to pass the said ordinance, the Act of February 5, 1875, providing that magistrates shall give bond in the sum of three thousand dollars, with two or more sufficient sureties who shall be freeholders and approved by one of the judges of the said county, which bond shall be taken by the prothonotary of the said court in the name of the commonwealth. The bond being taken in the name of the commonwealth, the Councils of the City of Philadelphia have no authority to authorize satisfaction entered on such official bonds.

Yours very respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, May 24, 1894.*

*In re Ordinance providing for ten years' guarantee clause in contracts for paving or repaving streets*

W. H. FELTON, ESQ.,

Clerk, Highway Committee.

DEAR SIR:—Your communication of the 1st inst., with copy of ordinance providing for a ten years' guarantee clause in specifications and contracts for paving or repaving streets, received.

You submit to me the following questions for my opinion, as directed by the Committee on Highways:

“First. Will it be necessary for Councils at the time a contract is made in accordance with the latter clause of Section 1, to have in the City Treasury the amount to pay for keeping the street in repair for the last seven years?”

“Second. Can Councils compel the owners of property to pay for an absolute guarantee from contractors for keeping the street in repair for ten years after the paving is completed? If not, what is the longest period the owners of property can be made to pay for?”

The Act of June 11, 1879, requires that before the making of a contract there shall be an appropriation therefor. If a contract entered into under Section 1 of the proposed ordinance makes it obligatory upon the City of Philadelphia to pay any money, then the funds necessary for the purpose of making the repairs should be in the treasury and appropriated for the purpose, before the contract can be entered into. If, however, it be a mere option upon the part of the City to require a contractor to do the necessary repairs after the lapse of the three years, it would not be necessary to have the money in the treasury before entering into the contract, but an appropriation could be made each year, after the lapse of the third year, for the repairs required in any one year.

Councils have no right to require property owners to pay for the maintenance of a street. The property owner can be required to pay for the paving of a street at a certain price, with a guarantee of durability for a reasonable time. A

guarantee for ten years may not be unreasonable, and if so, the property owner would be liable for the cost of a pavement under such a contract. If, however, you entered into a contract to keep it in repair for ten years, allowing a certain amount per square yard for any repairs to be made after the lapse of three years, the property owner cannot be held liable for the cost of that repairing. If the contract be made with a guarantee to keep in repair for ten years, the original contract price covering the guarantee for ten years, and there being no agreement to pay the contractor for any repairs during that ten years, the property owner would be liable for the original cost of the paving. It would be decidedly better to make the contract with an absolute guarantee for ten years.

I assume that the contract price with such a guarantee, does not include any cost of repairs, but that the pavement laid under the specifications would, if properly constructed, require no repairs for a period of ten years. What is a reasonable time is necessarily a question of fact which may have to be determined by a jury, and the property owner could not be charged with a guarantee for any longer time than a pavement constructed in accordance with the specifications would necessarily last without requiring repairs.

If the committee desire to retain the substance of Section 1 of the ordinance, I would suggest the enclosed as a substitute. Under that it would not be obligatory for the City to call upon the contractor to do the repairing after the third year, and the property owner could be charged only with the cost of the paving, with the condition to keep in repair for three years.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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#### AN ORDINANCE

To provide for ten years guarantee clause in specifications and contracts for the paving or repaving of streets in the City of Philadelphia, and providing the necessary conditions, restriction and stipulations to make it effective.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain.* That from and after the passage of

this ordinance the Department of Public Works, in the preparation of all specifications and contracts for the paving or repaving of any of the streets in the City of Philadelphia, shall make it a condition in all specifications and contracts that the contractor or contractors to whom this work may be awarded, shall give bonds to the City of Philadelphia in amount equal to 40 per cent. of the contract to keep in good order and all times maintain in a condition satisfactory to the Department of Public Works, if required, all such pavements laid or relaid by them under contracts with the City, for a period of not less than ten years from the date of the contract; it shall also be a condition of said specifications or contracts, that the contractor shall keep and maintain such paving or repaving in a satisfactory condition without expense to the City for a period of three years, and that from and after the third year from the date of said contract and until the expiration of the tenth year thereafter, the City of Philadelphia shall have the right, by annual notice from the Director of Public Works, to require of the contractor that he maintain and keep in thorough repair the paving or repaving of said streets, at a certain allowed price per square yard per annum, which, as well as the price of the original work, shall be fixed in the proposal submitted prior to the award of the contract for paving.



LAW DEPARTMENT.

*Philadelphia, May 31, 1894.*

JOSEPH H. PAIST, ESQ.,

Chief Clerk of Select Council.

DEAR SIR:—I received your letter of May 21st inst., in which you state that you are requested by Mr. John H. Hanifan, Chairman of the Committee on Commerce and Navigation, to submit to me the draft of an ordinance, and to ask my opinion as to whether or not Councils have authority to authorize the Mayor to appoint a Commission, as proposed in said ordinance. Said proposed ordinance provides for the appointment of a Commission to make surveys for a ship canal and to make an appropriation therefor.

Section 1, of the said ordinance provides, *inter alia*, " that the Mayor be authorized to appoint a Commission, to consist of eleven persons, to be known as the " Canal Commission," whose duty it shall be to organize, supervise and direct the surveys and examinations of the route of the proposed ship canal between the waters of the Delaware river at Bordentown and then of the Raritan river at or near New Brunswick, and to make report thereof to the Mayor and Councils, with such recommendations as they may be pleased to make."

Section 2, provides for the appropriation of \$10,000 to pay the expenses of said surveys, etc., the warrants against said appropriation to be drawn by the Mayor in the usual manner.

In answer to your questions I reply as follows: I see no legal objection to the appointment of the Commission as provided for in the said ordinance. There is no doubt in my mind that under the ordinance of Councils, the Mayor of the City of Philadelphia would have power to appoint a commission for the purpose of examining as to a better water supply, a better gas supply, a better plan for communication between distant points, or for any matter that would in any wise promote the trade, industry, happiness or health of the people of this municipality.

In this connection a reference to the act of incorporation of the City of Philadelphia, passed March 11, 1789, shows that power was conferred upon the municipality for the purpose of assisting and aiding in the advancement of the public health and order, and the promotion of trade, industry and happiness. If it be the purpose of this ordinance to promote the trade and industry of this municipality, or the people of this municipality, Councils have the power to appoint a Committee or Commission to investigate and examine into any matter that may be submitted, looking to this end. The Committee or Commission is to do this work under this ordinance and to make report to the Mayor and the Councils of the City of Philadelphia. It will be seen that the whole matter is under the control of the municipal authorities.

If it be the intention of Councils to provide for this Committee and for an appropriation to pay for the expenses of the work to be performed by the said Committee, and if said work is in the direction of increasing, advancing or promoting the industry and trade of this municipality, or the people of this municipality, in my judgment it is legal.

I have in mind as I write, Section 7, Article 9, of the Constitution of Pennsylvania, which reads: "The General Assembly shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual."

The ordinance does not appropriate the money to an association or corporation, nor does it loan the City's credit to any association or corporation. The appropriation is made to pay the expenses of the Commission to be appointed by the Mayor, for the purpose of making an examination and survey of a proposed ship canal, which, it is urged, is for the promotion of the industry and trade of this municipality, or the people of this municipality.

Your respectfully,

CHAS. F. WARWICK.

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, May 31, 1894.*

*In re Callowhill Street Wharf.*

A. S. EISENHOWER, ESQ.,

Chief of Bureau of City Property.

DEAR SIR:—Your letter of the 19th inst. was duly received. In it you say: "It has been brought to my notice that the Northern Liberties Market Company has sublet Callowhill street wharf to the Germania Park Company. . . I beg to enclose a copy of the lease, and would be very much obliged if you would send me an opinion as early as possible, so that we may know what steps to take in the matter."

The lease to the Market Company was made for the term thereby created by authority of the ordinance of Councils of July 2, 1889, page 261. The ordinance provided, *inter alia*, "that the Director of Public Safety be, and is hereby authorized to enter into a new lease with the Northern Liberties Market Company . . . for a term of ten years. . . The lessees shall enter into a covenant with the City that they will



not at any time sublet said wharf in any other way than at present, unless the consent of the City shall first be obtained by the passage of an ordinance to that effect."

The clause in the lease bearing upon the right of the lessees to sublet the wharf is as follows: "The lessee shall not occupy, or permit to be occupied, the demised premises otherwise than as a wharf or landing, nor shall the lessee assign the term hereby created or underlet the premises for any other purpose than for which it is at present occupied without the written consent of the lessor, to be endorsed on this indenture of lease," etc.

The meaning of the section is obvious—to wit: that the lessee cannot use, nor can any person acquire from him the right to use, the property leased other than as a wharf or landing, without the written consent of the City shall first be obtained.

It follows, by implication at least, that if the subtenants of the Market Company use and continue to use the wharf as contemplated in the lease—that is, as a wharf and landing—they can acquire the right to do so from the Market Company without other authority.

I am of the opinion, therefore, that the Northern Liberties Market Company has the implied authority under the lease, and the ordinance of Councils of July 2, 1889, authorizing its execution, to sublet Callowhill street wharf to the Germania Company, provided it is used as a wharf or landing.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia June 2, 1894.*

*In re Bond of the Quaker City Elevated Railroad Company.*

HON. EDWIN S. STUART,

Mayor of Philadelphia.

MY DEAR SIR:—I am in receipt of your communication of the 29th ult., in which you enclose a letter from Charles

B. McMichael, Esq., Attorney for Vermilye & Co., August Belmont & Co., and Edward Sweet & Co., in which he states that the Supreme Court having decided that the Quaker City Elevated Railroad Company has no right to build or operate an elevated railroad, he requests that the bond given to the City of Philadelphia in the sum of \$100,000 on the 18th day of August, 1892, by his clients, be returned to him.

You ask me to advise you as to whether the Company has carried out all the obligations under its agreement.

In answer, I reply that I have no means of knowing what the Company has done; the Director of the Department of Public Works can, no doubt, give you the information you desire.

Yours, very respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, June 2, 1894.*

*In re Obstruction of Highway by Cold Storage Warehouse.*

A. M. BEITLER, ESQ.,

Director of Public Safety:

DEAR SIR:—Your letter of the 21st ult. received. In it you say:

“Under date of the 14th I received a complaint from a number of the property owners in the neighborhood of Delaware avenue and Spruce street against the Cold Storage Warehouse at the corner of those streets. I have a report through the Superintendent of Police saying that the Storage Company has erected along the Spruce street side of their building a platform extending out three feet seven inches and three feet six inches in height. They are putting down a pavement of vitrified brick, and they back all their teams up against the platforms to load. There is no question that while the loading is going on pedestrians are deprived of the use of the sidewalk.

Will you kindly advise me what action should be taken in the matter? Shall I send the case to you, or shall I proceed

summarily by arresting the teamsters, or if arrests were made, should the proceedings be against the proprietors of the warehouse, who invite the blocking of the highway by the construction of the platform and the paving of the street?"

In obstructing the free passage of pedestrians over and across the pavement in front of the premises, the Cold Storage Warehouse Company commit a nuisance, which should be abated.

While the property owner or tenant has the right to a reasonable use of the sidewalk for the purpose of taking goods to or from the building, yet it cannot be so done as to obstruct the sidewalk for an unreasonable time, nor in an unreasonable manner. He has no right, however, to place a horse and wagon upon or across the walk, whether it does or does not interfere with public travel.

The 24th Section of the Ordinance of Councils of 23d September, 1864, page 358, declares it to be a nuisance "to wilfully . . . place horses or vehicles upon the public footway, &c." Section 41 of said Ordinance provides that "any person violating any of the provisions of this ordinance shall forfeit the sum of five (5) dollars, to be recovered before the Alderman whose office is located nearest the place where such violation occurred, at the suit of the City of Philadelphia, for the use of the City."

In my judgment, the best plan to pursue would be to send a notice to the owner or occupant of the building, informing him of the violation of the Ordinance. If the nuisance be continued you can then proceed by law to abate it.

Yours, very respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, June 2, 1894.*

*In re Bond of Vulcanite Paving Co.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—I am in receipt of your letter of the 24th ult., asking me to advise you as to whether or not you shall

approve the agreement prepared by Henry F. Walton, Esq., in relation to bonds filed with the City Treasurer, as a guarantee for keeping the streets enumerated therein in thorough repair for five years, with the amount guaranteed to each.

The agreement submitted to me provides, among other things, that the said Vulcanite Paving Company desires to deposit with George D. McCreary, City Treasurer, ten Government bonds, etc., and that the said Vulcanite Paving Company shall assign by a separate agreement to George D. McCreary, Treasurer of the City of Philadelphia, the said bonds as Trustee for the said Vulcanite Paving Company.

My only suggestion in relation to this matter is, that at the time the bonds are surrendered to Mr. George D. McCreary, City Treasurer, they shall be assigned to him as City Treasurer, with power to sell or dispose of the same in case default shall be made.

Yours respectfully,  
 CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, June 6, 1894.*

*In re Release of Bond—Quaker City Elevated Railroad Co.*

JAMES H. WINDRIM, ESQ.,  
 Director of Public Works.

DEAR SIR:—Your favor of the 4th inst., enclosing a letter from Charles B. McMichael, Esq., to his Honor the Mayor, received. Mr. McMichael requests that the bond given to the City of Philadelphia guaranteeing the construction of the Quaker City Elevated Railroad be returned on account of the decision of the Supreme Court, that the Quaker City Elevated Railroad Company had no right to build and operate an elevated road.

You desire me to advise you whether the Quaker City Elevated Railroad Company should not be required to remove the work it has constructed, which obstructs the highways, and also reinstate the street to its original condition, before the bond referred to is released.

I advise you that the said Company should be required to place the street in the same condition in which it was before it started to do any work, and that the street should be put in its original condition before the bond be released.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, June 7, 1894.*

THOMAS NOON, Esq.,

4021 Germantown avenue, Philadelphia.

DEAR SIR:—Your favor of the 24th ult. received. You state that the Secretary of your School Board has been appointed Vaccine Physician, and you desire to know whether he can hold both offices.

The Act of June 1, 1885 (Bullitt Bill), in Article 15, provides as follows: "No person shall hold more than one office of profit in any City department, and no person shall hold any office of profit under the City or any department thereof while holding any other official or representative position of profit in or under the Government of the United States, of this Commonwealth, or of such City except in the militia service of this Commonwealth."

By the Act of May 15, 1887, the above section was amended by adding the following: "*Provided*, That nothing herein contained shall apply to the office of Notary Public in this Commonwealth."

The offices of Secretary of the School Board and Vaccine Physician cannot therefore be held by the one person. Such offices are incompatible, as provided by the above provision.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, June 8, 1894,*

HON. EDWIN S. STUART,

Mayor of Philadelphia.

DEAR SIR:—I have the honor to acknowledge the receipt of your communication of the 4th inst., in which you state that the “assessed valuation of property for the purpose of taxation for the year 1894, is \$769,930,542. In view of the recent decision of the Supreme Court in the case of *Brooke, et al., vs. City of Philadelphia,*’ you desire my opinion as to the amount of additional indebtedness which the City can contract in excess of the \$10,100,000 already authorized by City Councils.”

Section 8, Article IX. of the Constitution, is as follows:

“The debt of any county, city, borough, township, school district or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum, in the aggregate at any one time, upon such valuation.”

As you state the assessed valuation of taxable property in the City is \$769,930,542, the limit of the City’s indebtedness under the above section of the Constitution is seven per centum upon that amount, or \$53,895,137.94. At the present time the Councils can authorize an indebtedness to the amount of two per centum upon the assessed valuation, or \$15,398,610.84. Any further indebtedness, up to seven per centum, can only be authorized by a vote of the people. Councils would, therefore, be authorized, without a vote of the

people, to create a further indebtedness of \$5,298,610.84 in addition to the \$10,100,000 which you state has been already authorized.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, June 12, 1894.*

*In re Charges for Water, Swimming Pool, Twenty-third and  
Columbia Avenue.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your communication of the 9th instant, enclosing copy of a letter from James C. Stilwell, Esq., attorney for William Weightman, to his Honor, the Mayor, in reference to stopping off the supply of water to the Swimming Pool at Twenty-third street and Columbia avenue, received.

It appears that the water rent is in default over a year, and that there is now due a bill for \$569.81, and Mr. Weightman, the owner of the property, has requested you to cut off the water.

You request my advice as to whether your department should cut off the water supply upon request of Mr. Stilwell.

As the water rent is in arrears, under the Ordinance of March 22, 1862, you are required to cause the ferrule to be detached. The fact that the water rent is unpaid is sufficient authority for your cutting off the water supply.

Yours very truly,

CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, June 23, 1894.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—I am in receipt of your communication of the 18th inst., in which you ask me to advise you as to whether or not under the Act of Assembly, April 8, 1868, granting charter privileges to the West Philadelphia Passenger Railway Company to extend their road to any part of the Twenty-fourth Ward, it has the right to make the curved connections now applied for. In your communication you enclose a copy of the application of the company to extend their road, also copy of certificate from the Clerk of Council certifying that the West Philadelphia Passenger Railway Company presented to Councils a petition and plans for the privilege of laying tracks on several streets, under certain conditions, on December 14, 1883, and that Councils did not disapprove of same.

In answer let me say that I am of opinion, that under the power of the charter granted to the West Philadelphia Passenger Railway Company to extend its road to any part of the Twenty-fourth Ward, it has the right to make the curved connections now applied for.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, July 12, 1894.**In re Tracks on Market street, from Fortieth street to Cobb's creek.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 29th ult., enclosing letter from the Chief Engineer of the Bureau of Surveys, relative to



the Delaware County Passenger Railway Company laying tracks on Market street, from Fortieth street to Cobb's creek, received.

It appears that the Philadelphia and West Chester Turnpike Road Company, as the owners of the Delaware County Passenger Railway Company, have filed an application with the Board of Surveyors for the approval of plans for a double track street railway on Market street westward from Fortieth street to the line of Cobb's creek. Authority is claimed under the Act of March 29, 1859, incorporating the Delaware County Passenger Railway Company: that the tracks of the old road were operated in pursuance of this act; that by Act of March 15, 1865, the Philadelphia and West Chester Turnpike Road Company was authorized to purchase the rights and franchises of the said railroad company and to operate the same, and that the right was extended to the purchaser to remove the rails from the street, and to sell them and the other property of the company, but to retain the franchises for future use.

In *Hinchman vs. Turnpike Road* recently, the Supreme Court decided that the rights and franchises of the railroad company were in full force and could be resumed at pleasure.

By the Act of April 5, 1870, it was provided, that after the West Chester Plank Road and Turnpike Company shall have given up and released, free of cost or charge to the City of Philadelphia, all the interests of said company in that portion of their road occupying the bed of Market street within the limits of said City, it shall be the duty of the Chief Commissioner of Highways to proceed to open said street to the full width, and to grade and pave the same. In pursuance of this act, the street was subsequently opened and damages for the opening paid in 1875. The street was then graded and paved. At the time of the passage of the Act of 1870 the Turnpike Company owned the franchises of the railroad company. The said railroad company, or at least, the Turnpike Company, desire now to relay the tracks on Market street, without the consent of the municipality.

I am of the opinion that this company should first get the consent of Councils before it be permitted to lay tracks on Market street, and until that consent is given, the Board of

Surveyors and the Board of Highway Supervisors should not approve of the plans submitted.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 13, 1894.*

*In re Revision of Aramingo Canal.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Your favor of the 12th inst., enclosing letter from the Chief Engineer of the Bureau of Surveys, relative to the confirmation of the plans of the revision of the Aramingo Canal, received.

In the letter of the Chief Engineer it is stated that, in pursuance of a resolution of the Board of Surveyors, the parties in interest, under the ordinance of April 3, 1894, were notified to prepare and submit agreements of dedication of ground and release of damages as therein provided. The agreement of the Pennsylvania Railroad, copy of which accompanies your communication, was submitted to the Board of Surveyors. This agreement, in my opinion, should not be approved by you, particularly because of the qualification, as follows: "And does not make any claim upon either the Pennsylvania Railroad or the River Front Railroad Company for any advantages that may accrue to either or both by reason of the widening or opening of such streets." There should be stricken out of the agreement the words, on line 9, as follows: "or cause to be legally vacated," unless these words are in the ordinance.

As the action of the Board of Surveyors, under the ordinance, will be a performance by the City of Philadelphia of its agreement to strike from the City plan and vacate Aramingo Canal, I do not see why, in the first place, the Pennsylvania Railroad Company should not furnish you with a deed of dedication and a release instead of an agreement to dedicate.

Yours, very truly,

CHAS. F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, July 23, 1894.*

*In re Water Rent of property rear of No. 505 South Ninth street.*

JAMES H. WINDRIM,

Director of Public Works.

DEAR SIR:—Your communication of April 26, 1894, with letter of Mr. John L. Ogden, Chief of Bureau of Water, enclosed, relative to the charges of water rents against property in the rear of No. 505 South Ninth street, &c., was duly received, and remained unanswered until this time for the reason that to give an intelligent reply it required certain information relative to the facts therein claimed to exist by the owner of the premises. Mr. Ogden in his letter states :

“A property in the rear of 505 South Ninth street, used as a stable, has been delinquent in the payment of water rent for several years. For this year (1894) it has been assessed as part of the premises 505 South Ninth street, both properties belonging to the same owner. This was done in order that the rent for the entire premises would be in one bill, and prevent mistakes in the future. The present owner, who recently purchased, objects to this arrangement for the reason that he does not wish to pay the rent for the past years, having, as he claims, a clear search against the stable property. The present assessment will oblige him to pay the delinquent rents for stable, or the entire property will become delinquent on September 1st. and we will then be obliged to deprive the premises of water. The present owner threatens to hold the City liable for any damage which may result from such shutting off of water.

Please advise me if I should make any change in the manner of assessing the water rent, and what I must do if the rents are not paid.”

As stated in the above letter, the owner claims to have a clear search against the stable property. This is not true. On October 26, 1892, search was directed to be made against the premises No. 505 South Ninth street, and a certificate given by the Bureau of Water, that there were no unpaid water bills against said premises. No search was made or

requested, however, against the stable on Cedar street, and in the rear of No. 505 South Ninth street, which, if made, would have disclosed the fact that water rents therefor had not been paid for several years. If the search made failed to disclose the true condition of affairs relative to the amount due for the stable, it was the fault of the person instituting the search for the present owner, and for whose act the City can in no wise be liable. The fact that the premises fronted upon Ninth street and upon Cedar street in the rear, was known to the owner or person acting for him, and it was his duty to request a search against both the house and stable. It follows, therefore, that the present owner has no right to demand that the City shall relinquish its right to enforce collection of the rent due for stable, which the City is bound to observe.

I advise you, therefore, that if the rent be not paid on or before September 1, 1894, to deprive the premises of water, as directed by the Ordinance of Councils in such case provided.

I am of the opinion that it is a much safer plan to assess the water rents against each property for which rents are chargeable, as you did prior to this year. The advisability of this becomes apparent if, as in this case, it might happen the properties should be sold separately. A search against the stable would in such case fail to disclose the amount due and chargeable against it. This is a matter, however, within your own discretion.

Yours respectfully.

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 23, 1894.*

A. S. EISENHOWER, ESQ.,  
Chief of Bureau of City Property.

DEAR SIR:—Replying to your favor of the 13th ult., inquiring what the effect will be of a resolution of Councils requesting the Director of the Department of Public Safety not to

enter or tear down certain buildings taken and condemned for Vernon Park, in the Twenty-second Ward, until the matter of damages therefor is finally adjudicated, and whether good public policy dictates that such a resolution should be adopted. I have to say: That in the matter of the taking of land for the said park, the bond of the City for the protection of the property owners and securing all damages caused by said taking was duly approved by and filed in the proper Court July 5, 1892.

In so far as the giving of permission by Councils to the owners of land taken for a public purpose or use to remain in possession in accordance with the above resolution is concerned, I have only to say that the right of the City ultimately to take the property for a public use cannot be affected by the passage of the resolution submitted to me. If Councils, in their discretion or in their judgment, deem it wise to grant the permission provided for in the resolution, there is nothing illegal in their action.

The question as to whether or not it would be good policy for Councils to pass the resolution is something that does not come within my province to pass upon as the law officer of the municipality.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 27, 1894.*

*In re Awarding contracts for Vitriified brick paving.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—Your favor of the 16th instant received. You state that Mr. George A. Bullock, Chief of the Bureau of Highways, requests my opinion concerning the authority of the Highway Bureau to execute contracts with James A. Mundy and The Park Paving Company for repaving streets with vitrified brick paving. You also state that bids for these

streets were opened on May 29, 1894, and are in the same list as those included in the injunction granted to the Interstate Vitrified Brick Company, and that the Park Paving Company was the lowest bidder for the streets awarded it, but that James A. Mundy & Brother were not; that the award to Mundy & Brother was made upon the Canton Shale Brick, submitted in sample with their proposal. You desire me to advise you whether all contracts should be withheld until the further action of the Court.

In answer, I would say that the injunction issued in the case of the Interstate Vitrified Brick Company *vs.* City *et al.*, and John I. Atkinson *et al. vs.* City *et al.*, has no effect, except upon the awards to the Mack Paving Company, as to which the plaintiffs complain. That injunction was issued to restrain you from awarding or entering into a contract with the Mack Paving Company and does not in any way affect any other awards made by you. I advise you therefore that all contracts for any other awards than those to the Mack Paving Company can be entered into, and should not be delayed because of the decision in the Interstate Vitrified Brick Company case.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 26, 1894.*

JOHN TAYLOR, ESQ.,  
Receiver of Taxes.

DEAR SIR:—Your favors of the 10th and 20th inst., together with letter of Maurice F. Wilhere *et al.*, in reference to Poll Tax received.

Article 8, Section 1, of the Constitution of 1874, among other qualifications of electors provides: "If twenty-two years of age or upwards, he shall have paid within two years a state or county tax, which shall have been assessed at least two months, and paid at least one month, before the election."

The law does not limit the time in which you should receive such taxes. You should therefore accept the Poll Tax any time after its assessment.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 26, 1894.*

*In re Supporting Tracks of Steam Railroads over Sewers  
Constructed through Private Property.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your letter in reference to the supporting of tracks of steam railroads over sewers constructed through private property, together with letter of George S. Webster, Chief Engineer and Surveyor, enclosed, was duly received. Mr. Webster in his letter states: “The Department requests your opinion as to whether it devolves upon the steam railroad companies to support and maintain their tracks as provided by the ordinance of April 8, 1890, entitled ‘An Ordinance to regulate the construction and maintenance of the tracks of steam railroads over and across sewers,’ when the said sewers are built by the City on private property, and not within the lines of opened or projected streets.”

From your letter of March 14th, wherein you refer to the letter of Mr. Webster, I infer that the subject of inquiry is whether the City, in building a sewer through railroad property, has the right to call upon the company to protect it in the manner prescribed by the ordinance.

Section 1 of the ordinance of April 8, 1890, provides as follows:

“That all tracks of railroads upon which freight or passenger trains drawn by locomotives are, or are to be run, shall be laid upon piles and stringers so driven and placed over and across the sewers of the city that the weight of the tracks and the trains running upon them shall rest upon the said piles

and stringers, and not upon the sewers beneath: and that wherever such tracks are already laid over or across said sewers, the companies owning or using them shall relay and support them in the manner herein described, whenever required so to do by the Department of Public Works."

As stated in my opinion of September 9, 1893 (to which you are respectfully referred), the rights acquired by the several railroad companies in the City streets or highways are those only which are necessary for the proper construction and maintenance of their lines of road, and are subject to all reasonable restrictions and regulations imposed by the municipality for the care and protection of public property.

It will be noted that the opinion of September 9, 1893, related only to the authority of Councils to impose conditions upon railroad companies in the use of City streets."

The question assumes a different aspect, however, when the terms of the ordinance are attempted to be applied to sewers about to be constructed upon private property. In the former case, the railroad company acquire only an easement in the street, and take it subject to the rights of the public. In the case of private property, however, the public rights are, as a matter of course, subservient to the rights of the owner of the property. In the latter case the City acquires an easement in the land, subject to the rights of the owner, and in constructing its sewers must do all that is at the time deemed necessary for their protection.

I am of the opinion that the provisions of the above ordinance of Councils do not apply to cases where the City is about to construct a sewer under the line of a railroad and upon its property, unless the permission or authority to construct the said railroad within the City limits requires the said company to comply with all such regulations.

In answer to your letter of March 21, 1894, wherein you say, "I will be very much obliged if you will advise me whether the ordinance of April 8, 1890, regulating the construction and maintenance of the tracks of steam railroads over and across sewers, appertains and placed the responsibility upon the steam railroads of supporting their tracks over sewers constructed by the City when both tracks and sewers are on the property of the railroad company," I would say that the said ordinance applies to all tracks thereafter to be constructed over sewers, and also to those tracks which at the



time of the passage of the ordinance were constructed over sewers, and so far you can insist upon a compliance by the railroad companies with the said ordinance.

Yours, respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, July 27, 1894,*

*In re Bond of the Keystone Electric Light Company.*

A. M. BEITLER, Esq.,

Director of Public Safety.

DEAR SIR:—Your favor of the 25th inst., in reference to the entry of satisfaction of the judgment against Colonel Muckle on the bond of the Keystone Electric Light Company, received.

By ordinance of August 5, 1886, (p. 247) certain privileges were granted to the Keystone Light and Power Company of Philadelphia, the said ordinance requiring a bond to be approved by the City Solicitor in the sum of \$5,000, conditioned as follows: "To faithfully comply with the provisions of this ordinance, or any other ordinance now in force, or which may hereafter be passed regulating the laying of conduits, cables, electrical conductors, or wires under the streets, avenues, alleys, or sidewalks in the City of Philadelphia."

In accordance with this ordinance, the City Solicitor approved the bond of the Keystone Light and Power Company, with M. Richards Muckle as security. The ordinance also refers to the ordinance of March 30, 1883, and Section 4 of that ordinance renders such companies liable for damages to gas, water mains, etc.

I do not believe it possible for you under the circumstances to direct the satisfaction of the judgment without an ordinance of Councils releasing the said M. Richards Muckle. See also ordinance of December 6, 1887, page 319, an ordinance of April 23, 1891, page 165.

If you desire to make any arrangement with the Keystone Electric Light Company as to an assignment of the conduits, etc., that could be done by ordinance, as in the case of Henry C. Gibson. *et al*, see ordinance of January 23, 1891, page 11.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, August 3, 1894.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—I am in receipt of your letter of the 1st inst., enclosing copy of a letter addressed to me by Mr. George S. Webster, Chief Engineer of the Bureau of Surveys, in which he states that he “sends me herewith a plan of the portion of the ground involved in the matter of the revision in the vicinity of Aramingo avenue and East Girard avenue, as authorized by Ordinance of Councils approved April 3, 1894, together with copy of letter received from Mr. William J. Latta, General Agent of the Pennsylvania Railroad Company, in which he advises Mr. Webster that the plan indicates the property which the President of the Pennsylvania Railroad Company referred to in his communication addressed to Mr. Webster on July 9, 1894.”

At a consultation held in your office a few days since in relation to this matter, at which time all the facts in the case were submitted, I reached the conclusion that the agreement would not be called for until after the confirmation, and that the promise of the Pennsylvania Railroad Company to dedicate, would be sufficient. Mr. Latta, in his letter of July 27, in answer to Mr. Webster’s letter of the 26th ult., states that the “plan enclosed showing the property owned by the Pennsylvania Railroad and River Front Railroad Companies, lying between York and Norris and Richmond and Moyer streets, is the property which the President of the Pennsylvania Railroad Company referred to in his communication of July 9, ult.”

As the ordinance, in my judgment, does not require the agreement to precede the confirmation, I advise you that there is nothing now in the way of the confirmation of the plans of the revision of the Aramingo Canal.

Yours very respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, August 13, 1894.*

*In re Liability for paving west side of Fifty-second street,  
between Girard avenue and Warren street.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—I am in receipt of your favor of the 2d inst., requesting my opinion as to the liability of the property owner for the paving of the ten feet on the west side of Fifty-second street, between Girard avenue and Warren street.

In your former communication you state that Fifty-second street, between Girard avenue and Warren street, was widened on the west side ten feet, increasing the width of the said street from sixty feet to seventy feet; and that on February 26, 1894, Mr. Chambers, the owner of the mill on the west side, was paid some \$40,000 damages caused by said widening. Also, that the street had been previously paved and the sidewalks curbed and paved at the expense of the property owners, to the width of sixty feet, and that it will be necessary to move back the curb and take up the footway pavement on the west side of the street for a width of ten feet, and to pave this strip of ten feet with sheet asphalt.

You request me to inform you whether the cost of paving this ten foot strip should be charged against the property owners on the line of the street, one-half to each side, or against the owners on the west side only, or whether the cost of this paving should be borne by the City.

In answer thereto, I would say that as the ten feet has never been paved, the cost of this first paving should be paid

by the property owners, and it should be charged one-half to each side of the street. It would not be equitable to charge against the west side the entire cost of paving the ten feet, as that would make the owner on one side of the street pay for the paving of ten feet more than the owner on the other side. If you would consider the asphalt as the paving of a new street, and would make out a bill against each side for the paving to the centre, and deduct therefrom the width of the old paving as paid for by the property owners, it would leave the amount to be paid on each side as I have stated, namely, five feet in width or one-half of the ten foot strip. This, I think, is the proper way to assess the cost of this paving.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, August 13, 1894.*

HON. EDWIN S. STUART,  
Mayor of Philadelphia.

DEAR SIR:—I am in receipt of your favor of the 31st ult., in reference to the application for an amusement license for the year 1894, for premises No. 1003 and 1005 Arch street, known as the "Palace Theatre."

It appears that the Board of Inspectors have reported adversely as to this building, as not conforming to the Act of June 8, 1893, but that the owner, Mr. J. Bolton Winpenny, insists that as the building was used as a theatre prior to the passage of this act, that it was at that time a theatre, and that the fortieth section of the act does not apply to it.

As you state, this building was licensed for the year 1892 as a place of amusement, but that for the year 1893 no application for a license was made, nor was a license issued, and that the building during 1893 was not used as a theatre.

You desire my opinion upon the following propositions:—

1. "In all cases where a license is necessary to the lawful carrying on of a business, and such license has been issued,

then upon the expiration of the period for which the license was granted, does the building retain in the eyes of the law the designation it acquired by reason of a previous license, or does it become merely a structure awaiting a tenant, and to be devoted to such lawful business as a subsequent license may permit, or the owner or tenant desire?"

2. "Do the words 'not in actual use' in the paragraph of Section 40, Act of June 8, 1893, reading 'no building which at the time of the passage of this act is not in actual use for theatrical or operatic purposes, etc.,' presuppose that an amusement license is not at that time in existence?"

3. "Can the word 'theatre' applied to a building by its owner, be regarded in law as a correct appellation, unless such term is confirmed by the existence of an amusement license?"

4. "Does the law compel me to issue an amusement license to this place, the Inspectors having reported to me that it is unfit to be used as a place of public resort by reason of the danger to life and limb arising from faulty construction or arrangement of the means of ingress and egress?"

A building once licensed as a theatre or place of amusement still remains that after the expiration of the period for which the license was granted, if it is not devoted to some other purpose. The words "not in actual use" in Section 40, of the Act of June 8, 1893, may refer to a building constructed for theatrical or operatic purposes, even though an amusement license for that building may not be in existence at the time.

The phrase "not in actual use," as will appear from the context, was intended to refer to those buildings which were at the time of the passage of the act constructed, and were in use for other than theatrical or operatic purposes. The phrase did not apply to a building which had been used only for theatrical purposes, but which at the time from inability to secure a tenant, or any other reason, was vacant, and, of course, not actually used for theatrical purposes. Such a building is properly called a theatre, even though an amusement license has not been obtained.

In answer to the fourth question in your letter, I am of opinion that the law does not compel you to issue an amusement license to any place which the Inspectors have reported as unfit to be used as a place of public resort by reason of the danger to life and limb arising from faulty construction or

arrangement of the means of ingress and egress. If, under the report of the Inspectors, you are of opinion that the building is unsafe as a place of public resort, you have the power to refuse a license.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, August 14, 1894.*

WM. C. HADDOCK, ESQ.,

Chief of Bureau of Building Inspectors.

DEAR SIR:—In answer to your favor of the 11th inst., in which you ask whether it is necessary in erecting new buildings to cover each floor above the third, or, as the building progresses, keep covered the floor immediately below the story upon which the bricklayers are working, under the Act of May 11, 1893, I would state the Act in question was passed to protect the lives and limbs of those employed in the construction of new buildings in this Commonwealth, as stated in its title. I am quite familiar with the Act and the reasons which led to its passage, as a draft of it was submitted to me on December 10, 1888, and I advised Councils that they had not the power to pass it in the form of an ordinance, as it was not a police regulation, but is in the nature of a general law, and should be passed by the Legislature. (Opinions of City Solicitor, 1888, page 101.)

Section 1 of the above Act provides:

“Be it enacted, &c.. That on and after the passage of this act it shall be the duty of the party or parties having charge of the construction of any new building hereafter erected in this Commonwealth, to have the joists or girders of each floor above the third story covered with rough scaffold boards or other suitable material, as the building progresses, so as to sufficiently protect the workmen either from falling through such joists or girders, or to protect the workmen or others who may be under or below each floor from falling bricks, tools, mortar, or other substances whereby accidents happen, injuries occur, and life and limb are endangered.”

The object of the Act is to protect the workmen upon the building, and if the floor immediately below which they are working is covered with rough scaffold boards, it would certainly "protect the workmen or others who may be under or below each floor from falling bricks, tools, mortar, or other substances."

I am, therefore, of opinion that the words "each floor" means the floor below that upon which the bricklayers are working. If it was the intent of the Act that all the floors above the third should be covered instead of each floor, the words should have been "every floor." To compel builders to cover every floor, especially in the large buildings which are now being erected in this county, would certainly needlessly increase the cost thereof without affording any additional protection to the workmen, as to keep covered the floor below that on which they are working would prevent workmen or the materials from falling through.

As this is a new law, the question you ask has never been passed upon by the Court; but if you refer to me the first case which arises in which the builder refuses to cover each floor as the building progresses so as to protect his workmen, with instructions to bring suit for the penalty, I will do so, which will raise the question, and we can thus obtain a construction of the Act from the Court.

Respectfully yours,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, August 14, 1894.*

*In re Occupancy of Private Property by City—Roxborough Pumping Station.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—Your communication in reference to the occupancy of private property by the City in connection with the Roxborough Pumping Station, received. You state that the

Chief of the Bureau of Water forwarded you a letter from the Chief Engineer, Bureau of Surveys, in which he states that the right given to the City to enter upon other ground to lay pipe therein does not give the City the right of a road across the property, and that the Chief of the Bureau of Water wishes to know if the City has the right of way to the ground and property it purchased, whether the purchase of those properties did not convey an approach to and an exit from them.

Enclosed with your communication is a copy of a letter from Thomas Shaw in relation to the City occupying his property, and also a plan of the ground. The plan does not indicate what property of Thomas Shaw's is being used, nor does it show whether there were any means of access to the property purchased from William J. Buck other than that over the other ground of Wm. J. Buck. An examination of the deed from Wm. J. Buck to the City of Philadelphia, dated December, 1865, and recorded in Deed Book L. R. B. No. 158, page 38, shows that the City purchased the premises "together with the right of laying a forcing main from said premises to the reservoir now being erected on the estate of ——— Umberger (dec'd), across the other land of the said Wm. J. Buck by a route designated in the plan hereto annexed, agreeably to the terms of the above recited ordinance; and the right at all times hereafter to enter upon said ground to do such things as may be necessary for the repair and preservation of said forcing main. This is the only right expressly acquired under the deed to enter upon other ground of the said Wm. J. Buck.

If, however, at the time of the purchase there were no means of access to the property purchased excepting over the property of the grantor, Wm. J. Buck, then the conveyance also passed the right of way to the property across the other property of Wm. J. Buck. As this principle would only apply where there did not exist any means of reaching the property, I am unable to determine from the information sent me whether the City acquired such a right in this case.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*



## LAW DEPARTMENT.

*Philadelphia, August 11, 1894.*

HON. EDWIN S. STUART,  
Mayor of Philadelphia.

DEAR SIR:—I am in receipt of your communication enclosing a copy of a letter received by you from the Commissioners of the Sinking Fund. The communication from the said Commissioners contains the following resolutions:

“*Resolved*, That the Mayor of the City of Philadelphia be requested to turn over to the Commissioners of the Sinking Fund the proceeds of any sale of City property now remaining in his hands, or that he may thereafter receive by reason of any further sales of City property, as is provided for by ordinance of Councils, January 29, 1855, and that a copy of this resolution be sent to the Mayor.”

You desire me to advise you as to what is required of you in such case. I reply as follows:

The ordinance of January 29, 1855, is entitled “An Ordinance to provide a Sinking Fund for the redemption of the debt of the City of Philadelphia,” and reads as follows:

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the real estate belonging to the City of Philadelphia, which the said corporation are authorized or may be authorized to sell, without being required to appropriate the proceeds specifically by the power allowing such sale: all stock in railroad, canal, plank road or other corporations, and all mortgages owned by the same; and all moneys which belonged or were owing to the Sinking Funds of any of the corporations, which by the Act of Assembly, approved February 2, 1854, were consolidated into the corporation of the City of Philadelphia be, and they are hereby pledged for the payment of the funded debt of the said corporation.

SECT. 2. Whenever any of the above described property shall be sold, or the principal sum of any ground rent or mortgage paid off, the proceeds shall be, and are hereby appropriated to a Sinking Fund, or to the payment of the funded debt of the said corporation; the income from the investments in the stocks in railroad and other corporations,

shall not, by force of this ordinance, be applied to said fund, but form part of the income of the corporation applicable to the general expenses thereof.

SECT. 3. The City Treasurer shall annually carry to the credit of said Sinking Fund the sum of \$100,000, being one per centum on \$10,000,000, in quarterly portions, on the first day of January, April, July and October.

SECT. 4. The said Treasurer shall, from time to time, invest the moneys hereby pledged and appropriated to the Sinking Fund in the loan of this corporation, and such investments and their accumulations shall be applied to the payment of the funded debt of this corporation when, and as any part thereof may mature, and to no other purpose. And whenever the said Treasurer shall make any such investment, he shall report the same to Councils, and exhibit to the Committee on Finance the evidence thereof, at their meeting next subsequent to the making of the same.

SECT. 5. Warrants for the payment of money from the Treasurer for such investment, shall be drawn by the Mayor and countersigned by the Controller.

SECT. 6. All ordinances of the corporation, of the Mayor, Aldermen and citizens of Philadelphia, and of the municipal corporation which, by the said Act of February 2, 1854, are consolidated into the corporation of the City of Philadelphia relating to the establishment, increase or management of Sinking Funds be, and the same are hereby repealed, except such ordinances as relate to trust estates.

By virtue of this ordinance the real estate, which on January 29, 1855, belonged to the City of Philadelphia, and which the said City was authorized, or should be hereafter authorized, to sell, there being no appropriation of the proceeds specifically by the power allowing such sale, was pledged for the payment of the funded debt of the said City. This pledge was created by an ordinance only, and was for the purpose of paying the funded debt which existed at that time. As that debt has long since been paid, no question can now arise as to any contract in favor of the holders of the debt. The Sinking Fund created by this ordinance does not now exist, as the debt for the redemption of which it was created, has been paid. However, in the absence of any other regulation, the proceeds of the sale of real estate which belonged to the City on January 29, 1855, should be paid into the Sinking Fund. Councils,

however, by ordinance when the sale is authorized to be made, can appropriate the proceeds in any other way.

I would advise you, therefore, that if there be a sale of any of the real estate which belonged to the City on January 29, 1855, without the proceeds being otherwise appropriated specifically, that the said proceeds should be paid into the Sinking Fund. This is not in pursuance of any contractual relation, but is a mere fiscal regulation of the municipality.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, August 27, 1894.*

*In re Claim of W. H. Lonsbury & Co. against Jacob Garber.*

JAMES H. WINDRIM, Esq.,

Director of Public Works.

DEAR SIR:—I am in receipt of your favor of the 16th inst., in which you state that Jacob Garber was the defaulting contractor for the erection of a boiler-house at Spring Garden Pumping Station. You further state that the building was subsequently finished by Edwin A. Gaskill, assignee, and by the William M. Lloyd Co., Limited, and that final payment for the work has been made, and that the assignees desire that the securities be released. It further appears that a claim for work done by a sub-contractor for Jacob Garber has been presented to the William M. Lloyd Co., Limited.

You desire me to advise you whether this claim should prevent the release and satisfaction of the security under the contract.

In answer I would say, that if the work has been completed in accordance with the terms of the contract, the claim above referred to cannot prevent the release and satisfaction of the security.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, August 30, 1894.**In re Surrendering of Bond of Northeastern Elevated R. R. Co.*

HON. EDWIN S. STUART,

Mayor of the City of Philadelphia.

DEAR SIR:—The communication from Mr. Lewis E. Beitler, dated the 28th inst., enclosing letter of Mr. J. H. Connellan, of the Equitable Trust Company, of 21st inst., in reference to the surrendering of the bond of the Northeastern Elevated R. R. Co., received.

You request me to advise you as to the legal status of the case.

If the said Railway Company has complied with the conditions of the bond, and has placed the streets in the same condition in which they were before any work had been commenced, then, in view of the recent decision of the Supreme Court the bond can be cancelled. It is only a question of fact to be determined by the Director of Public Works as to whether the said Railway Company has complied with the conditions of the bond.

I return you herewith the letter of Mr. Connellan, so that it may be sent to the Director of Public Works to report whether the said Railway Company has complied with the conditions of the bond.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, September 3, 1894.**In re Apportionment of Bills.*

ABRAHAM M. BEITLER, Esq.,

Director of Public Safety.

DEAR SIR:—I am in receipt of your communication relative to the apportionment of bills assessed upon properties

having the right and use in alley-ways, paved or repaved by direction of the Board of Health under their authority to remove nuisances, and in accordance with lines and stakes furnished by the District Surveyor, and also a resolution adopted by the Board of Health requesting my opinion as to the proper method of apportioning such bills, whether according to the frontage of each property abutting upon the alley, or pro rata.

In answer, I would say the only authority possessed by the Board of Health to file liens against private property for expense incurred in the removal of nuisances, applies to cases where the claim so filed is for work done upon the property. Although it would apparently be more equitable to apportion the charges made against properties for the paving or repaving of an alley, according to the use of the alley by the occupants of properties abutting thereon, the statutes do not afford your Board the right to do this.

In cases where a nuisance is common to all properties fronting upon or having the right and use in alley ways, the paving or repaving of such an alley by the Board of Health under their authority to remove nuisances, must be assumed to be a benefit to all properties fronting thereon or having an easement thereon, and in the absence of any statute fixing the method for assessments in such cases, I am of the opinion that the rule making the frontage of such properties the basis of assessment, to be the proper one in cases above referred to.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia. September 7, 1894.*

*In re Obstruction of Highways.*

ABRAHAM M. BEITLER, ESQ.,  
Director of Public Safety.

DEAR SIR:—Your favor of the 6th inst., in reference to the detention of street cars by wagons backing up to the curb

to unload, received. I have examined the ordinance of March 30, 1867, referred to by you. It is as follows :

“ That in all streets of the City of Philadelphia, no wagon, cart, or other vehicle shall be allowed to stop in the centre thereof for the sale or delivery of goods or merchandise or otherwise, but the same shall be stopped alongside of the curb and on the right. Any violation of this ordinance shall subject the offender to the penalty of five dollars, to be recovered as penalties are now by law recoverable.”

This ordinance only prevents the stoppage of wagons or vehicles in the middle of the street and does not prevent the backing up of a cart against the curb for the purpose of unloading. The evil referred to by you is a very serious one, and if possible, something should be done to avoid it. However, the abutting property owner has still rights in the street, particularly that of having goods unloaded to be taken into his house. If the goods can be unloaded without backing, the property owner or occupant should be required to do it in that way.

I have been unable to find any ordinance that will give you any authority to interfere. In this connection it would be interesting to read the cases of *Rafferty vs. Traction Co.*, 147 Pa., 579; *Ehrisman vs. Railway Co.*, 150 Pa., 180; *Winter vs. Railway Co.*, 153 Pa., 26, and *Gilmore vs. Railway*, *Ibid*, 31.

Very truly yours,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, September 27, 1894.*

*In re Awarding of Contracts.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 22d instant, in reference to the awarding of contracts, received. You request me to advise you whether “ the City is under any obligation to a bidder, when a schedule of bids has been marked, the bidder not being notified of any award of contract.”

I am of opinion that there is no obligation whatever to such a bidder. The marking of a schedule without any notification to a bidder does not complete or make a contract.

You further state that "frequently schedules are marked to the lowest bidder, and he is officially notified of the award of contract, but by some restriction in the ordinance, or there being insufficient funds, the contract is not ordered. While the matter of paving or repaving is thus reserved, there may be a request made to change the material designated in the original ordinance; I desire to know whether the action of the department in simply marking a schedule obligates the City to award a contract. Does the notification of the award of contract impose any obligation?"

I have already stated that the marking of the schedule does not oblige the City to award a contract, nor does the marking of itself make a contract. As to whether after notification of the award there is any obligation, a different question is presented. Ordinarily when a bid is received and the bidder is notified of its acceptance, that forms a contract, and the obligation of both the bidder and the acceptor are mutual, and both are bound. But, in the case of the City of Philadelphia, Article 14, of the Act of June 1, 1885, known as the Bullitt Bill, provides as follows:

"All contracts relating to city affairs shall be in writing, signed and executed in the name of the city by the officer authorized to make the same after due notice, and, in cases not otherwise directed by law or ordinance, such contracts shall be made and entered into by the Mayor. No contract shall be entered into or executed directly by the City Councils or their committees, but some officer shall be designated by ordinance to enter into and execute the same. All contracts shall be countersigned by the Controller and filed and registered by number, date and contents in the Mayor's office, and attested copies furnished to the Controller and to the department charged with the work."

In the case of *Hepburn vs. City of Philadelphia*, 149 Pa. St., 335, the Supreme Court, in referring to the Act of June 1, 1885, above cited, said:

"These clear and explicit requirements of the City's organic law are not merely directory. On principle, as well as authority, they are mandatory. To hold otherwise would

defeat the very object that the Legislature had in view in thus specifically prescribing the manner in which all contracts relating to city affairs shall be executed, and expose the public funds to raids of every conceivable form. When the mode in which contracts by corporations shall be made and evidenced "is specially and plainly prescribed and limited, the mode is exclusive and must be pursued. . . . We have no doubt that the requirements of the organic act, above quoted, are mandatory, and must be strictly pursued."

Unless the contract with the City is in writing, signed and executed in the name of the City, as required by the said Act of Assembly, it is not complete, and there is no obligation upon the part of the City until the contract is properly entered into in accordance with the above provisions of the law.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, September 29, 1894.*

A. M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR:—Your favor of the 27th inst., enclosing a letter from William C. Haddock, chief of the Bureau of Building Inspection, in reference to the repairing of the building of Felton, Rau & Sibley, on Conestoga street, received.

You state that Conestoga street is a plotted street, and, up to the line of the property of Felton, Rau & Sibley, has been dedicated and is physically open. The building of Felton, Rau & Sibley, recently injured by fire, was built over the line of the street, and they now desire a permit from you to rebuild the property.

The Act of December 27, 1871 (P. L. 1872, p. 1890, Sect. 3) is as follows:

"It shall not be lawful to erect a building upon any of the streets laid out on the plans of the city after said plans have been confirmed; and when said streets are ordered to be



opened, the buildings erected upon them since their confirmation shall be removed at the expense of the owners and without any damages being paid therefor."

This Act refers to the erection of buildings, and it would be a strict construction to make it apply to repairing or a partial rebuilding.

I am of opinion that if Felton, Rau & Sibley only desire to repair the building and to put it in the condition in which it was before the fire, you can issue such a permit, with a proviso that the permission thus given will not entitle Felton, Rau & Sibley to claim damages because of the repairs thus made.

Yours very truly,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, October 4, 1894.*

*In re Occupancy of Private Property by City—Roxborough Pumping Station.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—In reference to your communication of the 8th ult., in connection with that of June 21st, as to the City having a right of way over the property of Thomas Shaw, in order to get access to its property purchased from William J. Buck, and now used, I believe, as a pumping station, I have, as I wrote you, seen Mr. Sundstrom, the Surveyor of the District.

It appears that on December 29, 1865, W. J. Buck conveyed to the City the property in question; that at that time he was the owner of other property lying between the Norris-

town Railroad and the River Road. In the deed of William J. Buck there is the following provision: "Together with the right of laying a forcing main from the said premises above described (to the reservoir now being erected on the estate of . . . . Umberger, deceased,) across the other land of the said William J. Buck, by a route designated in the plan hereto annexed, agreeably to the terms of the above recited ordinance, and the right at all times hereafter to enter upon said ground to do such things as may be necessary for the repair and preservation of said forcing main, &c."

On March 17, 1866, the said W. J. Buck conveyed to Thomas Shaw the rest of his property, including that lying between the Norristown Railroad and the River Road.

I learn from Mr. Sundstrom that the City has had access to the property along the Norristown Railroad or across the property of the Reading Railroad, and that it has used this method of approach for a long period of time.

The deed from W. J. Buck to the City does not appear to convey anything but the two lots mentioned therein, and the right of laying a forcing main on a certain route then laid out. The City at that time asserted no other right, and it is now rather late—being nearly thirty years since the conveyance—to claim a right of way over some other property than that belonging to W. J. Buck, but which has since passed into the possession of a third party. Had the City at the time of the purchase, or soon thereafter as they commenced to use the property, made a road for itself through the property now belonging to Thomas Shaw as a right appurtenant to the purchase of the lots from W. J. Buck, there may have been some force in the claim for a right of way, but as no such claim was made, and as access was obtained to the property by another way, the City cannot now safely sustain a claim to a right of way.

In view of the facts in this case, it would be better for the City, if it desires a road to the property, to purchase ground sufficient for that purpose.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, October 12, 1894.*

*In re Possession of lot School Lane and Reading Railroad.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR :—I am in receipt of your favor of October 5th, in which you state that by an ordinance duly approved September 19, 1894, a certain lot of ground at School Lane and Reading Railroad, the property of William Weightman, was appropriated for the purpose of a coal siding, to be used in connection with the new Queen Lane Pumping Station in the East Park, and that various survey stakes placed upon said lot by your Department, have been removed by some one supposed to be acting under the direction of the owner, and inquiring whether or not, by reason of the said ordinance, your Department has authority to enter upon and take possession of said lot.

In reply to your inquiry, I would state that the general authority for the condemnation of ground for reservoirs, or for other purposes connected with the City's water supply, is found in the Act of April 4, 1868. This Act provides, *inter alia*, that if Councils shall be unable to agree with the owner or owners of the ground sought to be taken as to the price therefor, they may appropriate the same by ordinance.

The ordinance above referred to makes no mention of any attempt to agree with the owners having been made prior to its passage. The legal presumption is, of course, that such an attempt has been made and that the negotiations have been unsuccessful. Assuming, therefore, that the requirements of the Act have been complied with before the passage of the said ordinance, I would advise you that your Department may take possession of the lot in said ordinance described.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, October 23, 1894.*

HENRY W. HALLIWELL, ESQ.,  
Secretary Board of Education.

DEAR SIR:—In reply to your communication, in which you ask whether the meeting of the Twenty-sixth Sectional School Board, in which J. C. Cosgrove voted as a member of the said Board, although he had previously removed with his family from the ward, was legal or not, I am of opinion that said meeting was legal.

If a person usurp an authority to which he has no title or color of title, his acts would be simply void, but where an officer has done some act, or committed some default which creates in law a forfeiture of the office, or whose official term has expired, but who nevertheless remains in possession of the office, exercising the functions thereof, he is an officer *de facto*, and such officer's acts are valid as respects the public and third persons.

It is needless to cite authorities to sustain this, as the reports of the text books contain many of them, such as officers holding over after their term has expired; after the office has been abolished or after being elected to another office, and after a vacancy has been caused by removal from the State and County.

There is the case of a Justice of the Peace who had removed from the County, and before whom a deposition was taken after his removal. This latter is the case of *McKim vs. Somers*, 1 Penrose Watts, 297.

It appears by the letter of James Thompson, which you enclose, that the Sectional School Board defeated a resolution to declare illegal the meeting at which J. C. Cosgrove voted after his removal from the ward. This action is to some extent a confirmation of the acts of the School Board, held August 10, 1894.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, October 23, 1894.*

*In re License Fee of the Manayunk and Roxborough Inclined Plane Passenger Railway Company's cars.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 20th inst., enclosing the letter of Francis Rawle, Esq., in reference to the license fee to be paid by the Manayunk and Roxborough Inclined Plane Passenger Railway Company for their cars, received.

The Ordinance of April 1, 1859, as amended by Ordinance of January 2, 1867 (see Brightly's City Digest, p. 839, par. 10) is as follows:

“Each and every passenger railway company shall pay into the office of the Chief Commissioner of Highways, in the month of January of each year, for the use of the City, the sum of fifty dollars for each car intended to be run upon any road; and for each and every car placed upon any road before the time herein provided for paying the license a proportionate sum shall be paid until the succeeding January, and no car shall be placed or run upon any road or street until it shall be regularly licensed, and a certificate, duly numbered, hung in a conspicuous place in said car.”

This license charge was sustained as valid in the case of the Frankford and Philadelphia Passenger Railway Company *vs.* City of Philadelphia, 58 Pa. St., 119.

This is a license charged for the use of the streets and is not a tax, but is in pursuance of the police power and is the exercise of the same right which the City employs in reference to carts, wagons or any other vehicles occupying the highways.

The Manayunk and Roxborough Inclined Plane Passenger Railway Company is liable for this license fee; there is nothing in their charter which releases them from the liability. You should insist upon this company paying the license fee.

It is true, as stated by Mr. Rawle, that some time ago suit was brought by Director Wagner for this license fee, but it is not a fact that the City was unable to sustain the claim. An

appeal was taken from the judgment of the magistrate, but for some reason it was not proceeded with. I will have that case stirred up and proceed with it to final determination.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 7, 1894.*

*In re Awarding Contracts on Proposals received prior to the passage of Ordinance.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Your favor of the 6th inst., in reference to the awarding of contracts on proposals received prior to the passage of an Ordinance, received.

Strictly speaking, proposals should be invited only after the authority to do the work and to receive the bids has been given to your Department by the passage of an Ordinance. However, if only a short time has elapsed from the reception of the proposals and the passage of the Ordinance, I am of opinion that there is no legal objection to the contracts being awarded on the proposals thus received.

Very truly yours,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 8, 1894.*

JOHN TAYLOR, ESQ.,  
Receiver of Taxes.

DEAR SIR:—Your favor of the 3d inst., in reference to taxes for the year 1893, on property assessed in the name of

Ridgway & McGrath, Twenty-third and Wharton streets, being the property now known as "Wharton Square," received.

You state that you have unofficial information that the City became the owner of property on March 17, 1894, and you desire me to advise you as to the proper course of procedure in reference to the delinquent taxes for the year 1893.

Your information as to the ownership of the City is not correct, as the City appropriated this property for a square by Ordinance of January 26, 1892. From that date the property belonged to the City of Philadelphia. It was vacant ground and was not used by the owners since that time. The date referred to by you (March 17, 1894) was the time of payment of the award of the Road Jury. The property should not have been assessed for taxes for the year 1893, and such taxes cannot be collected, as they are charged on public property. There is nothing for you to do in this matter but to mark the property as being the property of the City from the time of the passage of the Ordinance of January 26, 1892.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 19, 1894.*

*In re Laying Tracks on 33d Street, York to Cumberland.*

JAMES H. WINDRIM, ESQ.,  
Director of Public Works.

DEAR SIR:—Your favor of the 17th inst., in reference to the request of the Union Passenger Railway Company for action upon the plans submitted to the Board of Surveyors and the Board of Highway Supervisors, for tracks on 33d street to connect their line on Dauphin and York streets, received.

It appears that the track which the company desires to lay is merely an extension of its present track, making a circuit for the line on Dauphin and York streets, so that those two

tracks may be connected. I advise you to grant the permit for such an extension of the road, it appearing to be necessary to connect and form a circuit.

Yours very respectfully,

CHARLES F. WARWICK,  
*Ctty Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 21, 1894.*

*In re Signs on Sidewalk.*

A. M. BEITLER, ESQ..

Director of Public Safety.

DEAR SIR:—Your favor of the 9th inst., in reference to signs projecting over the highway, received.

As you state, the case of *City vs. Sheppard et al.* has determined the right of property owners to occupy with goods, wares and merchandise the portion of the street within four feet three inches, or at least it has determined that the City cannot complain of the use of the sidewalks for that purpose, in view of the Ordinance of December 24, 1864.

Section 10 of the Ordinance of September 23, 1864, is as follows :

“To extend or project from any dwelling or building, except inns, any sign board, pole, or other device or thing, to denote or show the place of business, or the merchandise or things which the occupant thereof has to dispose of, into or over any of the footways of any street of the city, below the top of the first story, or to a greater extent than four feet three inches on any of the other parts of such building.”

Section 2 of the Ordinance of December 24, 1864, is as follows :

“To extend or project from any dwelling or building any sign board, pole or other device or thing to denote or show the place of business, or the merchandise or things which the occupant thereof has to dispose of, into any of the streets of the said city of the width of fifty feet or upwards, more than four feet three inches from the line of the street and level of



the pavement to the height of four feet six inches, and from that point to the top of the first story more than one foot six inches, and from the top of the first story more than four feet three inches to any other part of said building.”

You will notice a difference in these two provisions, but they both refer to the same subject-matter—sign-boards, poles, etc.

The Ordinance of September 23, 1864, is plain enough and means that no sign-board, pole or other device shall be constructed over the street below the first story and above the first story projecting four feet three inches.

The Ordinance of December 24, 1864, looks to me to permit sign-boards, poles or other devices, four feet three inches from the house line within a height of four feet six inches above the pavement, and from that point to the first story, projecting one foot six inches, and above the first story to the roof, a projection of four feet three inches. This latter ordinance would appear to permit of show cases that do not project more than four feet three inches, nor higher than four feet six inches.

The Ordinance of July 20, 1875, is entitled “An Ordinance to repeal a portion of the ordinance of December 24, 1864,” and in a way appears to effect a repeal. The ordinance is as follows :

“That so much of Section 2 of an Ordinance entitled ‘An Ordinance relating to nuisances,’ approved December 24th, 1864, as relates to the extension or projection from any dwelling or building any sign-board, pole or other device to denote or show the place of business, or the merchandise or things which the occupant thereof has to dispose of, be and the same is hereby repealed: *Provided*, That signs suspended across the footways from awnings shall be properly fastened, and not less than eight feet from the sidewalk in height, and swinging signs projecting from buildings shall not extend more than five feet from the building or buildings.”

As the law stands, as provided for in the ordinances, it appears that sign-boards, poles or other devices to denote or show the place of business, or the merchandise or thing to be sold, are prohibited below the first story, and are only permitted above the first story, projecting four feet three inches, except that where the sign is suspended across the footway from awnings, such signs shall be above eight feet from the sidewalk, and swinging signs may project five feet from the building.

The proviso of the Ordinance of 1875 does not permit of swinging signs below the first floor, if the ordinance of September 23d, 1864, is to have any force.

In reference to show cases I think the Court would hold the same view as in the case of *City vs. Sheppard et al.* and consider that show cases merely contain the goods, wares or merchandise permissible under Section 3 of the Ordinance of December 24th, 1864.

To sum up, I am of opinion that in view of the decision in *City vs. Sheppard*, show cases within four feet three inches of building line are permissible; that signs are not allowable below the first story, except when they may be attached to awnings, and that above the first story a sign cannot project more than four feet three inches, except that swinging signs may project five feet. This, of course, does not apply to those streets, such as the south side of Chestnut street, west from Sixth street, as to which there exists special provisions.

In view of the somewhat mixed condition of the ordinances, new legislation would not be out of place.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 21, 1894.*

*In re Manayunk Avenue Bridge Over Shurs Lane.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your communication of the 30th ult., enclosing a letter from the Chief Engineer of the Bureau of Surveys, in reference to the Manayunk Avenue bridge over Shurs Lane, received. It appears by the letter of the Chief Engineer that R. B. Malone, the contractor for Manayunk Avenue bridge over Shurs Lane, was notified to begin work on October 18, 1892, and to have the same completed by June 18, 1893, and in default of completion by that time he was to be charged \$25 per day for every day during which

the work remained uncompleted after June 18, 1893. The work was abandoned by the contractor about May 1, 1893, and his surety, the American Surety Company, undertook its completion. The Surety abandoned the work in the latter part of September, 1893. Under my advice your Department proceeded to finish the work, and completed the same on June 11, 1894. It appears that there is still remaining \$2,000 unexpended; that claims have also been filed for \$4,939.31 for labor and material alleged to have been furnished R. B. Malone for work on this bridge. The American Surety Company, through Henry K. Fox, Esq., their attorney, claimed the unexpended balance. You request my opinion as to whether the Department is justified in making any further payment on account of this contract, and if so, to whom.

Not having the contract before me, I assume that it is in the usual form, and that the \$25 per day is stipulated damages and not penalty for the contractor's default in not completing the work at the time specified in the contract. I also assume that the contract requires that the contractor should first pay for all labor and material before receiving the final payment. It is, however, unnecessary to consider the claims for labor and material, as the stipulated damages would more than consume the \$2,000 balance. Under the contract, the work was to be completed on June 18, 1893, but it was not actually completed until June 11, 1894, nearly a year thereafter. If you only charged the contractor until the time of the abandonment by the Surety Company, September, 1893, the liquidated damages at \$25 per day will exceed the \$2,000. If the contractor be charged until June 11, 1894, to which time he is justly liable, unless your Department has been slow in completing the work, there would be due for liquidated damages nearly \$9,000, so that the Surety would be liable to the City for nearly \$7,000 in excess of the unexpended balance.

I advise you as to the unexpended balance, that the same should not be paid on account of this contract, but should be appropriated by you towards the damages chargeable against the contractor in pursuance of his contract.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, November 22, 1894.**In re lot Sedgley and Park avenues.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 21st instant, with letter of John L. Ogden, Chief of the Bureau of Water, with accompanying blue print, requesting my opinion as to whether the lot marked "A," in the name of Charles W. Henry, is a corner lot, under the provision of the ordinance of June 2d, 1866, Section 1, received.

In reply thereto I would state that in my opinion the lot on the blue print marked "A," in the name of Charles W. Henry, is not a corner lot.

You will notice that the ordinance provides as follows: "That on all corner lots an allowance shall be made of one-third the length of one of their fronts, but such allowance shall be always and only on the street or highway running at an angle to the street or highway in which pipe shall have been previously laid and paid for."

The ordinance was only intended to make a reduction where the owner of a property was compelled to pay for a pipe on two streets, said streets running at right angles to each other.

In the case of the property of Charles W. Henry, there is no other frontage except that of Sedgley or Park avenues, and the reduction contemplated by the above ordinance does not apply to such a lot.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, November 27, 1894.**In re Obstruction of Highways.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR:—Your favor of the 21st inst., enclosing complaints from the Philadelphia Traction Company and the re-

port of the Lieutenant thereon, received. It appears that employees of the Wilson Box Factory, located on Columbia avenue below Fourth street, are in the habit of blocking the cars of the Traction Company from ten to thirty minutes. You desire me to advise you what action your department can take in the matter.

The owners of property fronting upon a street or road are entitled to use the said street for unloading or loading merchandise for a temporary period.

The following reference to 2 Dillon on Municipal Corporations, Section 581, quoted in Piolett *vs.* Simmers, 106 Pa. St., Page 108, gives the principle of law in reference to the use of highways :

“ We have heretofore shown that the primary purpose of a street is for passage and travel, and that unauthorized and illegal obstructions to its free use come within the legal notion of a nuisance. But it is not every obstruction, irrespective of its character or purpose, that is illegal, even although not sanctioned by any express legislative or municipal authority. On the contrary, the right of the public to the free and unobstructed use of a street or way is subject to reasonable and necessary limitations. The carriage and delivery of fuel, grain, goods, etc., are legitimate uses of a street, and may result in the temporary obstruction to the right of public transit. So the improvement of the street or public highway itself may occasion impediments to its uninterrupted use by the public. And so of the improvements of adjoining lots by digging cellars, by building, etc., this may occasion a reasonable necessity for using the street or sidewalk for the deposit of material. Temporary obstructions of this kind are not invasions of the public easement, but simply incidents to, or limitations of it. They can be justified only when and only so long as they are reasonably necessary.”

The above case referred to a country road. A different application of this principle would, of course, be made to a city street as to what is reasonably necessary.

The Wilson Box Factory have a right to use the street for unloading carts for a reasonable time. What that is, as you know, would be the question to be determined by the Court or Jury. From the report of the Lieutenant as to what the son of the proprietor of the Box Factory states, it would appear as if they were purposely delaying the railway com-

pany. The constant interference gives the appearance of wilful obstruction. If that be so, the Box Factory would be violating Section 24 of Ordinance of September 23d, 1864. They are liable under the Ordinance to a penalty of \$5.00 to be recovered as penalties are now by law recoverable. Suit can be brought for that amount, if you consider that their acts are in violation of the Section above referred to. Or under the Act of May 3d, 1876, Section 1, P. L. 99, the officer can arrest the party violating the ordinance, when the officer is present at the time and sees the violation.

A bill in equity might also be filed to restrain the Wilson Box Factory Company from using the highway in the manner indicated by the report, if such use is not necessary and reasonable.

I would remind you that Columbia avenue at Fourth street is only 50 feet, and there are two car tracks upon it, and for a business man to have much use of the street, would probably cause some obstruction to the cars, but the Court might compel the Box Factory to use the street at such times and in such way as not to obstruct more than is absolutely necessary. In fact, it might be possible for their wagons to go alongside the curb and unload instead of backing up against it, which they may be doing.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 28, 1894.*

ABRAHAM M. BEITLER, ESQ.,  
Director of Public Safety.

DEAR SIR: I am in receipt of your favor of November 17, 1894, in which you desire my opinion as to the right of the Germantown Electric Light Company to extend their lines to and over Chestnut Hill, under authority of the Ordinance of October 21, 1884.

In answer I would say, that Section 1 of the above ordinance provides: "That permission be and is hereby given to the Germantown Electric Light Company to place poles and wires on certain streets in Germantown, and such other of the main streets of said Germantown upon which citizens of said place may desire to be supplied with the lights of said Company, with the privilege of carrying branch house-top lines after the consent of the property holders is first obtained, to its stations and offices, and to the place of business or residence of any person leasing a light or lights from said Company."

In view of the fact that this ordinance restricts the right to erect poles and string wires to certain streets in Germantown, I am of opinion that said Company has no authority under this ordinance, to erect poles or string wires over Chestnut Hill.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 30, 1894.*

*In re fence walls.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR: In reply to your communication of September 28, 1894, in reference to fence walls, allow me to say:

That my opinion upon the question you refer to is as follows: There is no law authorizing a fence wall between the properties of different owners. The Act of May 11, 1862, is confined to wooden fences. To build a wall for the purpose of a division fence is nowhere authorized. Nor can such a wall be built either on the dividing line, or partly on the land of each of the adjoining owners, except by mutual agreement, since a fence wall is not a party wall in the legal acceptation of the words. A party wall is exclusively one to be used for mutual support and for no other purpose.

The law permits an owner to build a fence wall up to his line, and if there is no liability of his neighbor building a party wall, he is safe in doing so, but if his neighbor should build a party wall at any time, he must remove his fence wall, if on the line. It is therefore his right to build up to the line, if he desires, and the Building Inspectors have no right to require him to recede.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, November 30, 1894.*

*In re 1411 and 1413 Chestnut streets.*

ABRAHAM M. BEITLER, ESQ.,  
Director of Public Safety.

DEAR SIR: Your favor of the 26th inst., in reference to whether the buildings Nos. 1411 and 1413 Chestnut street (referred to by you as No. 1312) now being altered, should be compelled to recede to the new building line of Chestnut street, received.

I think the construction there violates the spirit of the Ordinance of March 31, 1884, but, as you suggest, it would probably be more advisable and a saving to the City of Philadelphia to permit the owner to continue the building on the present line. He would have a technical defence to our claim that he should recede, from the fact that he has not rebuilt or altered the front of the building, and I do not think this is a case in which it would be advisable to compel a recession.

Unless further advised by you, I will take no action against the owner of the building.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*



## LAW DEPARTMENT.

*Philadelphia, November 30, 1894.*

*In re Payment of Grading Sidewalks on Wood street,  
Manayunk.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—I am in receipt of your communication of the 26th inst., in reference to the grading of sidewalks on Wood street, between Green lane and Leverington avenue, Manayunk, in which you inquire who is responsible to pay for the said grading. It appears also, from your communication, that the property in front of which this work was done, was assessed at rural rates.

I beg to call your attention to a previous communication addressed to you, dated November 16, 1893, and contained in "Ordinances of Councils and Opinions of the City Solicitor" for the year 1893, at page 61 of Opinions, in which this question was discussed at some length.

It is my opinion that the property owners are responsible to Mr. Liebert for the payment of the full amount of the grading done by him, to be recoverable as provided by law. I have caused an exhaustive examination to be made upon this subject, and am of opinion that the property owners are liable for the grading and paving of the sidewalks, even though the property be assessed as rural, except, possibly, in a case where there is a deep cut or a high embankment and the cost of grading would be out of proportion to the value of the property.

Mr. Liebert inquires in his communication to you what method you would advise him to adopt to recover the amount of his grading bills with the city.

In reply to this, I would say that I can conceive of no possible method whereby he can recover his money from the City of Philadelphia. The law is clear and explicit upon the question of the liability of property owners for the grading of sidewalks upon which their property abuts, and has been adjudicated by the Court in the case of Johnson and Freeman's Appeal, 75 Pa. St., 96, which was the case of a claim for grading and paving sidewalks in front of rural property.

If the case of Steelton Borough *vs.* Booser, reported in Advanced reports of September 21, 1894, mentioned in the communication of Mr. Bullock, Chief of the Bureau of Highways to you, applies to all the City of Philadelphia, it only does so, possibly, in the event of the cost of the grading being disproportionate to the value of the property affected, as above mentioned.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

LAW DEPARTMENT.

*Philadelphia, December 7, 1894.*

*In re frame building, northwest corner Front and Columbia  
avenue.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR:—In reply to your letter of the 23d ult., asking for an opinion as to whether the Building Inspectors should compel Mr. Irwin, contractor for repairs to frame building at northwest corner of Front street and Columbia avenue (your letter states “Front and Girard avenue”), to recede to the established building line on the first story of the building, I would say that from the facts and plan submitted, it seems that the building is an old landmark, built years ago, and upon the then existing line. The repairs to it are estimated to cost \$500, and are so stated in the application for the permit.

If it was perfectly clear that the building is depreciated more than fifty per cent. of its original value by wear and tear, it ought to be made to recede, but I think it more than doubtful if this is so in this case, and Section 2 of the Ordinance of March 28, 1894, goes no further than this.

I am also informed the building is worth probably \$2,000, irrespective of the fact that it is a licensed saloon. In addition to that fact, if Mr. Irwin is compelled to recede, the city is liable, and would no doubt have to pay him damages for the

recession. It seems to me, therefore, better and for the best interests of the city that he be permitted to make the alterations he desires without receding, especially as they are not very extensive.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 12, 1894.*

*In re Northwood Park.*

E. BUCKHOLZ, ESQ.,

Chairman Councils Committee on Municipal Government.

MY DEAR SIR:—The resolution of inquiry relating to the occupation of the above park by a railroad company, referred by you in the first instance to the Department of Public Works, and subsequently, together with a letter from that Department, to me as City Solicitor, is duly received. The resolution in question, after setting forth the fact that Northwood Park was duly condemned by ordinance and paid for by mandamus, and that through a portion of the said park there has been constructed, and is now being operated, a railroad, which operation renders the park worthless for the purpose for which it is intended, inquires:

1. Whether any railroad or other corporation has any right to occupy any of the public parks of the city, or land plotted and placed on the public plan for park purposes.

2. What steps were taken to protect the city's interest in the present case, and if none have been taken, what steps are necessary to get from the railroad company damages to the said property involved by their occupancy.

3. To ascertain whether, as the portions of the said park not occupied, are now wholly unsuited to park purposes, the

city can sell these remaining portions, in view of the fact that the land was taken by the city for park purposes.

The communication from the Board of Surveys, contained in the letter to you from the Department of Public Works, fully states the facts upon which my opinion is to be based, and so far as concerns the facts in the case, you will please regard that letter as embodied in this opinion.

In reply, therefore, to the questions of the resolution, I **answer** :

1. That by Ordinance of Councils, duly approved June 2, 1892 (see Ordinances 1892, p. 241), the Philadelphia and Frankford Railroad Company was given the right to construct its tracks in accordance with a certain plan referred to in the Ordinance, and then and there presented, which said plan, as appears by the report of the Chief Engineer, has been duly filed with the Department of Public Works, and shows the railroad track as crossing Northwood Park. As the same authority which condemned the land for park purposes has given express permission to the railroad company to enter upon said park, I am of the opinion that the occupancy of the said company is under color of right.

2. This Department has no knowledge of any steps having been taken to protect the city's interest in this matter ; nor has any communication been received requesting that any action be taken by this Department in the premises. So far as the recovery of damages from the company is concerned, it will be noticed that the Ordinance giving the railroad company permission to enter upon said park, fixes no liability upon it for damages for such an entry.

3. With regard to whether or not the city of Philadelphia would have authority to sell or could make valid title to the remaining portions of the park not occupied by the railroad company, I would state that the legal question here raised is one of great doubt, and to determine it might ultimately require the intervention of the courts. If a Title Insurance Company would be willing to pass and insure any title so sought to be conveyed, of course all difficulty will be removed.

Yours very respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, December 17, 1894.*

ABRAHAM M. BEITLER, ESQ.,

Director of Public Safety.

DEAR SIR:—Your communication of the 30th ult., was duly received. Therein you say:

“I send you herewith a letter from Messrs. Crawford and Laughlin to me under date of the 27th, asking practically that we issue orders to the Bureau of Boiler Inspection to accept the insurance policy of the Employers’ Mutual Indemnity Co., of Philadelphia, in lieu of the inspection required by law to be made by that Bureau.

“If the law requires us to recognize the inspections of boilers made by that Company, we would of course do so, but the multiplication of these companies is rapidly driving the Bureau of Boiler Inspection out of business and is diminishing the receipts of that office, and I do not feel like settling the rights of these companies unless I must do so under the law.”

You request me to advise you whether you must accept the policy and inspection of these companies, in lieu of your own.

I reply as follows: It appears from the letter of Messrs. Crawford and Laughlin, addressed to Mr. G. B. Luper, Insurance Commissioner, that the Employers’ Mutual Indemnity Company, of Philadelphia, was incorporated under the Act of May 1, 1876, P. L. 53, and that its charter, under date of 17th February, 1892, provided among other things that the general object of the company is to insure its members respectively, against loss, damage or liability arising from an unknown or contingent event under the fourth paragraph of the first section of the said Act of 1876. The said fourth paragraph is as follows: “To make insurance, either upon the stock or mutual principle, upon the lives of horses, cattle and other live stock, *and against loss, damage or liability arising from any unknown or contingent event whatever*, except the perils and risks enumerated in the preceding paragraphs of this section.”

The first paragraph has reference to fire insurance; the second to insurance on lives and granting annuities, and the

third to insurance upon the health of individuals, and against injuries incident to travel or in the pursuit of any trade or employment.

It will be seen then that said Company acquired the right to conduct an insurance business upon the mutual plan expressly limited in its character and scope, however, by paragraphs one, two and three of said first section. None of said paragraphs related to the insurance of boilers. The object of the Company being, as expressed in the sixth clause of its charter, "to insure its members respectively against loss, damage or liability arising from an unknown or contingent event," under the fourth paragraph of said Act, the inquiry then is, first: Did the Company acquire the right to insure boilers under said section? From the wide scope and meaning of the words, "To make insurance, either upon the stock or mutual principle . . . . against loss, damage or liability arising from any unknown or contingent event whatever, etc.," contained in said fourth paragraph, I have no doubt about it.

Second: Admitting that the company has the right to insure boilers, is the Bureau of Boiler Inspection required to accept the certificate of said Company in lieu of the inspection required by the Act of May 7, 1864, P. L. 880? By the last mentioned Act and the several Ordinances of Councils passed pursuant thereto, a system was inaugurated for the inspection of boilers used and operated within the City of Philadelphia. It thereby being provided that "No stationary steam engine or steam boiler shall be erected and put into use and operation in the City of Philadelphia without being first inspected and certified to be competent and safe under the hand and seal" of the chief inspector. This Act was followed by the Act of July 7, 1869, P. L. 1279, by which the inspector was directed "to accept the certificate of inspection of the Hartford Steam Boiler Insurance Company in lieu of the examination" required by the Act of 1864. Then followed the Act of April 4, 1873, P. L. 536, vesting the same privileges in the "Pennsylvania Steam Boiler Insurance Company."

These Acts were in turn followed by the Act of March 11, 1891, P. L. 5, which provided, "That whenever any steam-boiler insurance company shall have complied with the laws of this state relative to insurance companies, it shall be au-

thorized to inspect and insure boilers in all cities of the first class, and at the same time issue a certificate of inspection," which shall be presented to the Inspector, who is required to "affix his signature and official seal thereto." "Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for the same not having been rendered invalid as provided for in the Act, shall be deemed to possess the certificate of the Inspector of Steam Engines and Boilers for the purpose of the Act of Assembly and the Ordinance of the City to carry the same into effect."

The "Employers' Mutual Indemnity Company" being chartered for the purpose set out in the fourth paragraph of the first section of the Act of 1876, if the said Company has complied with the Act of March 11, 1891 (P. L. 5), the certificate issued by such Company has the same force as the certificate issued by your Inspectors, and is to be accepted in lieu thereof.

Yours respectfully,

CHARLES F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 21, 1894.*

WILLIAM R. TUCKER, ESQ.,

Chairman of Committee on Bridge Applications,  
Board of Port Wardens.

DEAR SIR: I am in receipt of your communication of even date, in which you state that the Pennsylvania and New Jersey Railroad Companies have made application to the Board of Port Wardens for a license to construct a bridge across the Delaware River from above the foot of Roxborough street, in the City of Philadelphia, to a point in the State of New Jersey above the shore end of the Fishers Point Dyke. You request me to inform you whether or not under the Act of Congress approved July, 13, 1892, wherein the United States assumes control of the erection of all bridges crossing navigable streams, and the Act of June 14, 1894, authorizing

the construction of the Bridge under consideration, the Board of Port Wardens has any jurisdiction or any legal right to grant such a license.

In answer I reply, that in my opinion the whole matter is out of the jurisdiction of the Board of Port Wardens. The Act of July 13, 1892, above referred to, provides in Section 7 :

“ That it shall not be lawful to build any wharf, pier, dolphin boom, dam, weir, breakwater, bulkhead, jetty or structure of any kind outside established harbor lines, or in any navigable waters of the United States where no harbor lines are or may be established without the permission of the Secretary of War, in any port, roadstead, haven, harbor, navigable river, or other waters of the United States, in such manner as shall obstruct or impair navigation, commerce, or anchorage of said waters ; and it shall not be lawful hereafter to commence the construction of any bridge, bridge-draw, bridge piers, and abutment, causeway, or other works over or in any port, road, roadstead, haven, harbor, navigable river or navigable water of the United States, under any act of the legislative assembly of any State, until the location and plan of such bridge or other works have been submitted to and approved by the Secretary of War, or to excavate or fill, or in any manner to order or modify the course, location, condition or capacity of any port, roadstead, haven, harbor, harbor of refuge or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless approved and authorized by the Secretary of War.”

The Act of June 14, 1894, is an “ Act to authorize the Pennsylvania and New Jersey Railroad Companies, or either of them, to construct and maintain a bridge over the Delaware river between the States of New Jersey and Pennsylvania.”

Under this Act the location is provided for as well as the general construction ; Section 2 specifically says :

“ That the said company or companies shall, at least three months previous to the erection of the said bridge, submit to the Secretary of War a plan of the bridge, with a detailed map showing the proposed site of the bridge, and the river for a distance of one mile above and one mile below such site, with such other information as the Secretary of War may require for a full and satisfactory understanding of the subject ; and he shall thereupon approve said plan or such



modifications thereof as he may deem necessary for the security of navigation, and upon approval thereof he shall so notify the said company, or companies, which shall thereupon have the authority to proceed with the construction of said bridge: but until the Secretary of War approves the plan of said bridge, the erection of the same shall not be commenced. And no change shall be made in the plan during the progress of such work except with the approval of the Secretary of War."

Under this Act specific power is given to these Railway Companies named in the Act, after complying with all of the provisions of the Act, to construct the bridge in accordance with the plan approved by the Secretary of War, which plan cannot be changed during the progress of said work without the approval of the said Secretary of War.

In view of the Acts above quoted, I am of opinion, as above stated by me, that the Board of Port Wardens has no jurisdiction in the matter.

Yours very respectfully,

CHAS. F. WARWICK,  
*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 24, 1894.*

A. S. EISENHOWER, ESQ.,

Chief, Bureau of City Property.

DEAR SIR:—Your communication in relation to peddlers' licenses was duly received. In it you say:

"A case has been represented to us in which a party claims that he visits, in his wagon, bakeries and other consumers, and solicits orders for spices, sugars, currants and other bakers' supplies. Upon taking orders for the goods he then proceeds to put them in lots to suit and at some subsequent time he delivers them and solicits further orders. He has been arrested and fined by a magistrate; he seems willing to comply with the law but thinks he is exempt from the payment of a vender's license, claiming that he does not carry,

in his wagon, a stock of goods from which to deliver, but simply solicits orders to be filled subsequently. Will you please advise me whether, in your opinion, he should take out a license or not?"

The Ordinance of Councils, approved 11th April, 1893 (Ord. Councils 1893, p. 216) regulating the business of peddling within the corporate limits, is entitled "An Ordinance to regulate and restrain the hawking, vending and peddling of fish, fruit, vegetables, produce, wares and merchandise on the highways and footways of the City of Philadelphia."

The first section of said Ordinance provides:

"That the owner or owners of any cart, wagon or barrow, or other vehicle, or any person using the same for the purpose of carrying and exposing to sale in the public streets of the City of Philadelphia any vegetables, fruits, berries, fish, oysters, general produce, wood, coal, or any wares or merchandise of any description whatsoever, shall, on or between the first and thirty-first days of January, 1893, and each year thereafter, apply to the Commissioner of Markets and City Property for a license, stating his, her or their name or names and place or places of residence.

Section four of said Ordinance provides:

"That upon application being made to the Commissioner of Markets and City Property, he is hereby authorized upon payment to him, for the use of the City of Philadelphia, of the sum of fifteen (15) dollars for each wagon or other vehicle drawn by two horses or other animals, or ten (10) dollars for each wagon or other vehicle drawn by one horse or other animal; or five (5) dollars for each barrow or handcart, to grant a license to said applicants for the purpose of hawking or vending within the corporate limits of the City of Philadelphia any fish, fruit, vegetables, produce, wares or merchandise."

What is meant by the terms "hawking," "vending" and peddling? A peddler is defined by Webster as "one who carries about small "commodities on his back, or in a cart or wagon and sells them," and by Bouvier, in his Law Dictionary, as "a person who travels about the country with merchandise, for the purpose of selling it." In the Law Dictionary of Rapalje and Lawrence "peddler" is defined to be "a person who carries goods from place to place for sale."

In the case of *Commonwealth vs. Edson*, 2 Pa. C. C. Rep., p. 380, Elwell P. J. said that "a hawker, as has been read to you from Abbott's Law Dictionary, is defined to be a person who carries about merchandise from place to place *for sale*, as opposed to one who sells at an established shop or store."

In *Commonwealth vs. Edson*, *supra*, the plaintiff had been arrested and fined by a justice of the peace for peddling, in violation of the Act of Assembly declaring that "no person shall sell or expose for sale, within the County of Columbia, as a hawker, peddler, or travelling merchant, any goods, wares, or merchandise, under the penalty of \$50 for each and every offense."

On appeal the plaintiff contended that he solicited orders for teas, coffees, baking powder, &c.; that he did not carry goods for sale, but delivered them after first having obtained orders therefor. It appeared in evidence, however, that a person (the witness) had bought of the defendant without giving an order, and by the defendant himself that "he sometimes" sold to persons goods that had been ordered by others and not taken. In charging the jury the Court said, *inter alia*: "Although the delivery of goods on order is not within the prohibition of the law, yet, if under cover of that order system he carried other goods not ordered by anybody, and sold to persons as he found them desiring to purchase, while he passed through the country, he was guilty of a violation of the statute. It is a question of fact in this case for you to say whether or not it was done."

In *Commonwealth vs. Eichenberg*, 6 Lanc. Law Rep., 356, the defendant was arrested and fined for peddling goods without the license provided for by Act of Assembly. Said Act declares that "no person within the County of Lehigh shall sell or expose to sale as a hawker, or peddler, or travelling merchant, any foreign or domestic goods without first obtaining a license, which license the Treasurer of the County is authorized to grant upon the payment of \$100."

One of the questions raised was whether soliciting and taking orders for merchandise, and afterwards filling the same, is peddling. Albright, P. J., said: "I adopt the views announced by Judge Elwell in *Commonwealth vs. Edson*, *supra*, that the terms "hawker, peddler, and travelling merchant" are to be taken to be synonymous in legislation of the kind;

that a peddler *carries about* merchandise *for sale*, as distinguished from one who sells at an established shop or store; that a taking of orders for goods is not a sale of the article, as the word sale is to be understood in this sort of legislation; that the delivery of goods on order is not within the prohibition of these acts."

It will be seen that the facts of the case stated in your letter do not come within the definition of the terms "peddler," "hawker" or "vender" for the reason that the "spices, sugars, currants and other bakers' supplies" are not "carried about from place to place" for the purpose of sale, nor is the taking orders for the goods" and their "subsequent delivery" such a *sale* as contemplated by the Ordinance of Councils. Ruled by the cases of Commonwealth *vs.* Edson and Commonwealth *vs.* Eichenberg, *supra*, the person so employed is not a peddler.

If, therefore, the business is conducted in the manner stated in your letter, *i. e.*, "visits, in his wagon, bakeries and other consumers, and solicits orders" and "then proceeds to buy them in lots to suit, and at some subsequent time he delivers them and solicits further orders," I am of the opinion that the Ordinance of Councils does not apply, and no license should nor can be legally required.

I do not wish to be understood, however, as implying that the magistrate was not justified in imposing the fine, for the fact may be that he had proof sufficient to warrant him in finding that the person was guilty of "carrying and exposing to sale in the public streets of the City of Philadelphia" certain goods or wares. If such was the case, the fine was rightfully imposed.

Yours very respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 26, 1894.*

ABRAHAM M. BEITLER, ESQ.,  
Director of Public Safety.

DEAR SIR:—Your favor of the 21st inst., enclosing a communication from the Chief of the Bureau of Building Inspec-

tion, and also copy of letter from Mr. Charles C. Carman received. The question raised is, whether the first proviso of Section 8 of the Act of May 7th, 1855, P. L. 466, is still in force, or whether it has been repealed by the Act of June 8th, 1893.

The Act of 1855 is, as you know, a special Act of Assembly referring to Philadelphia County only, and would not in any way be effected by the general Act of 1893, were it not for Section 43, as follows: "All Acts or parts of Acts inconsistent herewith be, and the same are hereby repealed."

Section 8 of the Act of 1855 is, so far as dwellings are concerned, in some respects repeated in Section 15 of the Act of 1893, at least, as it refers to the thickness of the walls. Wherein the section of 1893 differs from the Act of 1855, it is a repeal of the latter Act. The first proviso of the Act of 1855 is not in the Act of 1893. In my opinion this proviso is still in force, there being no repeal of it in the Act of 1893, and that Act not containing anything inconsistent with the proviso in the Act of 1855. That proviso is as follows: "That any lot of the width of sixteen feet or less shall not be encumbered with more than nine inches of the stone wall, or more than four and a half inches of the brick wall; nor in any case shall any party wall be placed on the adjoining lot more than ten inches for the stone wall, or more than six and a half inches for the brick wall."

I understand from the letter of the Chief of the Bureau of Building Inspection, that Mr. Charles C. Carman is constructing a carriage house and stable at No. 912 Ontario street, and is required by the Act of 1893 to make a party wall 13 inches wide; that the adjoining lot—No. 910 Ontario street—is only 16 feet in width.

It is my opinion that the lot—910 Ontario street—being only 16 feet in width, can be encumbered by a party wall to the extent of only four and a half inches.

Yours, respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, December 27, 1894.*

*In re Lien for attachment to water main.*

JAMES H. WINDRIM, ESQ.,

Director of Public Works.

DEAR SIR:—Your favor of the 26th inst., enclosing the communication of the Chief of the Bureau of Water in reference to a construction of the Ordinance of April 7, 1893, as it relates to claim for attachment to water main received.

The Ordinance referred to, among other things, says: “Or where attachments to the water pipe have been made, whether the property was subject to lien or not, and water rents thereon are shown by the books of the Water Department or Bureau to have been paid to the City for a period of not less than six years and no lien for water pipe laid in front of such property has been duly filed and regularly received in accordance with law.”

The Chief of the Bureau of Water states that there are two buildings constructed, both fronting on Germantown avenue and being upon a lot at the corner of Germantown avenue and Highland avenue; that one of these buildings, of course, is not a corner property, but adjoins the corner; that both of the said properties are supplied with water from a pipe leading from the water main on Highland avenue; that the water pipe was laid on both streets by the old Germantown Water Company.

You desire to know whether the provision of the Ordinance of 1893, above quoted, refers to such an attachment. I assume that the question is propounded with reference to the water pipe on Germantown avenue.

It is my opinion that the provision of the Ordinance refers to the water pipe on Highland avenue, where the attachment is made, but does not refer to the water pipe upon another street, such as in this case—Germantown avenue—if no attachment has been made with that pipe. Of course, in addition to the attachment being made, the water rent must be paid, as provided in the Ordinance, for at least six years. The Ordinance is not intended to exempt a corner lot from

paying for a water pipe on either of the streets, unless attachments have been made with the water pipe on both of the streets. The construction which the Chief of the Water Bureau puts upon the Ordinance is a correct one; that is, that the claim for the water pipe to which the attachment is made is the only claim that will be presumed to be satisfied under the above quoted provision of the Ordinance.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 27, 1894.*

*In re Charge for Pipe Frontage.*

JAMES H. WINDRIM, ESQ..

Director Department of Public Works.

DEAR SIR:—Your favor of the 19th inst., with communication from the Chief of the Bureau of Water enclosed, relative to charge for pipe frontage on Girard avenue and O'Neil street received. The Chief of the Bureau desires to know whether the Ordinance of October 27th, 1884, refers only to parallel streets, or whether it is applicable to the property fronting on Girard avenue and O'Neil street, as shown on the plan accompanying the communication, where such property does not exceed in depth 80 feet.

The Ordinance of October 27th, 1884, a supplement to the Ordinance of June 2d, 1866, is as follows:

“ Hereafter, when water pipe shall be laid in a street or other public way, in the rear of a lot of ground which, upon the opposite side thereof, fronts upon another street, the said lot so situate as above, between two streets or public ways, shall be assessed for the expense of laying said pipe in the street in rear, at the rate of fifty (50) cents per running foot of front thereon, instead of the full rate of one (1) dollar per foot as now ordained: *Provided*, That the provisions of this ordinance shall apply only to lots having a depth from front to rear not exceeding eighty (80) feet, and of which the owner

shall be able to produce satisfactory evidence of the previous payment of water-pipe charges for the full frontage of said lot upon the street in front: *and provided further*, That whenever the owner of such lot, or of any portion thereof, shall, for any reason, desire a service attachment to the water pipe in the street in rear before receiving a permit therefor, he shall pay an additional frontage charge of fifty (50) cents per running foot of front, making, with the previous payment of fifty (50) cents per foot, the full amount of one (1) dollar per running foot of frontage upon the rear street."

The Ordinance evidently refers to any lot of ground having a street in front and another in the rear. It is not necessary that the streets should run parallel with each other. If the lot is of a less depth than 80 feet from one street to the other, then the provision of the Ordinance charging 50 cents per running foot on one of the streets applies. It is somewhat difficult to apply the Ordinance to the case mentioned by the Chief of the Bureau of Water. If the lot of ground as it is divided, is more than 80 feet from the front street to the rear street, then the charge of \$1.00 per foot should be exacted. If, however, as in the case mentioned by the Chief of the Bureau of Water, a portion of the ground is less than 80 feet in depth to the rear street, and a part more than 80 feet, it would seem to be the more equitable way to charge \$1.00 per foot for that part of the lot which is more than 80 feet, and 50 cents for that which is 80 feet, or less.

Yours respectfully,

CHARLES F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 28, 1894.*

*In re Railways in Fairmount Park.*

CHARLES ROBERTS, ESQ.,

Chairman Committee on Fairmount Park.

DEAR SIR:—Your favor of the 12th inst., together with a joint resolution of Councils, in reference to a trolley railway



in Fairmount Park, received. You desire my opinion as to whether Councils have any jurisdiction in the case. The resolution recites that the Park Commissioners have under consideration the construction of an electric or other railway in the Park, and requests the Director of Public Works to present to Councils an estimate of the cost of equipping and building a railway such as is proposed, and further requests that the Park Commissioners postpone all action in the matter until such an estimate be received.

The Act of March 26, 1867 (P. L. 547), is entitled "An Act appropriating ground for public purposes in the City of Philadelphia," and provides that a certain tract of land included in the boundaries therein mentioned shall be vested in the City of Philadelphia, to be laid out and maintained as an open public place and park." The second section of the Act provides for a commission to be known as the "Commissioners of said Park." This includes the ground, which, under the Ordinance of September 28, 1855, was dedicated as a park by the name of "Fairmount Park."

The Act of April 14, 1868 (P. L. 1083), a supplement to the Act of 1867, provided for certain other boundaries to the Park, and invested the said Commissioners with certain duties.

Section 19 of the Act of 1868, provides :

"The said Park Commissioners shall have the power to govern, manage, lay out, plant and ornament the said Fairmount Park, and to maintain the same in good order and repair, and to construct all proper bridges, buildings, railways and other improvements therein, and to repress all disorders therein under the provisions hereinafter contained."

Section 20 of the same Act is as follows :

"That the said Park Commissioners shall have authority to license the laying down and use for a term of years, from time to time, of such passenger railways as they may think will comport with the use and enjoyment of the said Park by the public, upon such terms as said Commissioners may agree, all emoluments from which shall be paid into the City Treasury."

The said Act provides that the Park shall be under certain enumerated rules and regulations, and such others as the Park Commissioners may from time to time ordain. Among the rules, No. 8 is as follows : "No street railroad car shall come within the lines of the Park without the license of the Park Commission."

It is thus apparent that the care, management and government of the said Park is entrusted to the Commissioners of Fairmount Park. Said Commissioners have also the power to construct railways in said Park, and authority to "license the laying down and use for a term of years of such passenger railways as the said Commissioners may think will comport with the use and enjoyment of the said Park by the public."

On March 16, 1870 (P. L. 451), there was passed an Act entitled "An Act to secure to the citizens of the Commonwealth the free use and enjoyment of Fairmount Park, in the City of Philadelphia, and to prevent the construction of any railroad therein." It enacts as follows:

"That the City of Philadelphia is hereby required to maintain and keep open the said Fairmount Park for the free use and enjoyment of all the citizens of this State, subject to the rules adopted for the good order and government of the same; and in consideration of the compliance of the said city with the requirements of this Act, the State of Pennsylvania hereby declares and agrees that no railroad shall ever hereafter be constructed within the limits of the said Fairmount Park; *Provided*, That nothing in this Act shall be construed to interfere with the rights already acquired by any railroad company whose tracks are now laid within the limits of said Fairmount Park."

This latter Act does not repeal the powers conferred upon the Park Commission by the Act of 1868. The railroad referred to in the Act of 1870 does not mean a passenger railway constructed for the use and enjoyment of the said Park by the public, but a reference to the proviso of the said Act shows that it was intended to apply to a railroad passing through the Park, and which used a portion of the Park as its right of way.

Section 9, Article 17, of the Constitution of 1874, provides: "No street passenger railway shall be constructed within the limits of any city, borough or township without the consent of its local authorities."

In considering this section of the Constitution, two questions present themselves:

- 1st. What is a street passenger railway?
- 2d. Who are the local authorities?

“Street Passenger Railway” is a term used in contradistinction to what is commonly known as a steam railroad. It is usually constructed on the highways, carries passengers only, making stops at short intervals, and does not have the exclusive use of its tracks; the public being also entitled to use them. What is commonly called a steam railroad or railway, while it may occupy the highways, also has the power of eminent domain, and, as a part of its right of way, uses land either purchased or condemned and carries freight as well as passengers. It stops at stations long distances apart and is entitled to the exclusive use of its tracks. A railway constructed in the Park is certainly not a steam railroad. It has many of the attributes of a street passenger railway. It will occupy public lands, also public highways whether the same be called ways, roads, streets, avenues or bridges. It will carry passengers only and will make frequent stops. The broadest possible definition should be given to the term when used in the section of the Constitution above referred to. It was the intention of the Constitutional Convention to give to the municipal authorities control of the construction of railroads on highways within its limits. Fairmount Park has been dedicated for public use, and the roads therein are public highways to be used by the public generally, under certain rules and regulations. These rules and regulations do not take from those roads the character of highways.

I am of opinion that a railway constructed in the Park, occupying any roads or bridges therein, is a street passenger railway under the terms of Section 9, Article 17, of the Constitution of 1874.

This section prohibits the construction of a street passenger railway without the consent of the local authorities. A reference to the section will aid in determining who are the local authorities referred to. It says, “any city, borough or township without the consent of its local authorities,” meaning the local authorities of such city, borough or township.

The Commissioners of Fairmount Park, while they are invested with power to govern, manage, lay out and ornament said Fairmount Park and to maintain the same in good order and repair, and are authorized to make rules and regulations and to do various things which will comport with the use and enjoyment of the said Park by the public, are not the local authorities referred to in the Constitution.

In the case of *City vs. Germantown Passenger Railway Company*, 10 Phila., Rep. 166, in referring to the Park Commission, Judge Paxson said: "The Park Commission has no legal entity. It has no separate corporate existence, municipal or otherwise. It can neither sue nor be sued. It does not own a dollar of money nor a rod of land. For most legal purposes it is a myth, intangible and incorporeal. Yet the law has conferred upon it important and varied powers. It is a branch of the City government, clothed with "certain authority, and performing certain prescribed duties, and in its limited sphere, free from the control of the other departments of the City. In the improvements of the ground and the police regulations of the Park, as well as in many other matters, its authority is exclusive, subject, however, to the important provision that it has to look to City Councils for the money which it expends for such purposes." It was held in this case that the Park Commission had the right to sue in the name of the City of Philadelphia.

In the case of *Commonwealth, ex. rel. vs. William K. Park, et al.*, 10 Phila. Rep., 1045, President Judge Thayer held: "That the Park Commissioners could not mandamus the City of Philadelphia to create a loan for the permanent improvement of the Park."

It thus appears that while the Commission is clothed with certain powers in connection with the care and management of the grounds for the use of the public, it is not a municipal corporation, nor is it a borough or township or even an incorporated district. It has no power to levy taxes or to raise money; it can only expend the money appropriated by City Councils. It is not the local authority referred to in the Constitution. The only local authority in the City of Philadelphia, in which the Park is situated, is the Councils of the said City. The Constitutional provision above referred to, does not repeal the power or authority vested in the Park Commission, to either construct a railway or to license the laying down and use for a term of years of a passenger railway in the Park. Such power and authority still exist in the Commission, but before any such railway can be constructed the consent of the Councils of the City of Philadelphia must be obtained.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, December 28, 1894.**In re Refusal to accept disfigured proposals, etc.*

JAMES H. WINDRIM, ESQ.,  
 Director of Public Works.

DEAR SIR:—Your favor of to-day in reference to your refusal to accept the bid of Gallagher & Company, in which all the figures were in lead pencil, received. You desire me to advise you whether you have acted correctly in this matter.

I find, upon examination of the advertisement, the following clause: "The Director reserves to himself the right to reject any or all bids, as he may deem it best for the interests of the City." This was known to the bidders prior to their bidding, and you have authority under this to reject any or all bids. You have also the right to make reasonable regulations as to the form of the bids to be received. This matter is entirely in your discretion. It does not appear, however, that the directions to the Chief of the Bureau required the bidders to put the figures in ink, or that figures in lead pencil would not be accepted.

Yours respectfully,  
 CHARLES F. WARWICK,  
*City Solicitor.*

## LAW DEPARTMENT.

*Philadelphia, December 28, 1894.**In re filing Bond, Thirty-third Street sewer.*

JAMES H. WINDRIM, ESQ.,  
 Director of Public Works.

DEAR SIR:—I am in receipt of your communication dated 13th inst., relative to the demand of the Philadelphia Traction Company upon you to retain the sum of \$5,000, or \$5,189.83 from the amount due to the firm of C. P. Grim & Co. for the construction of the main sewer on Thirty-third street; and also the communications of George S. Webster, Chief Engineer of the Bureau of Surveys and C. P. Grim & Co.

C. P. Grim & Company, in their communication to you, ask to be permitted to file a bond with the City in the sum of \$5,000, to indemnify the City against any loss, so that they may be able to obtain the balance due them under the contract.

It appears that C. P. Grim & Company contracted with the City of Philadelphia for the construction of a sewer in Thirty-third street, from Sansom to Market street, the sum to be paid being \$15,000. In their contract they became responsible for all injury caused by the construction of the sewer, and, further, agreed "that all or a part of the money due them may be retained by you until all suits or claims have been settled."

You request me to advise you whether you can accept the bond offered by C. P. Grim & Company and pay them the balance which is due?

The retention of the money due to the contractors until any suit or claim is settled, is in your discretion, and if you deem it advisable you can pay the balance which may be due and accept from the contractors a sufficient bond to indemnify the City against any damage or loss caused by the construction of the sewer.

I would suggest, however, that if a bond be taken you will insist upon a Surety Company instead of an individual, as that will avoid inquiring into the question of responsibility.

Yours respectfully,

CHAS. F. WARWICK,

*City Solicitor.*

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LAW DEPARTMENT.

*Philadelphia, December 31, 1894.*

*In re Removal of House, Juniper street, between Shunk and Porter streets.*

GEORGE A. BULLOCK, ESQ.,

Chief, Bureau of Highways.

DEAR SIR:—I acknowledge the receipt of your favor of the 26th inst., with reference to the removal of the house in the bed of Juniper street, between Shunk and Porter streets.

Your communication states that Juniper street, between the points indicated, is a dedicated street, as per Deed of Dedication of May 5, 1893.

With reference to your inquiry as to what action should be taken to compel the vacation of this house and its removal, I would advise you that by reason of the Deed of Dedication above referred to, you may at once proceed to remove the house.

I would suggest, however, that before removing the house, reasonable notice should be given the occupant to vacate.

Yours very truly,

CHAS. F. WARWICK,  
*City Solicitor.*

















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